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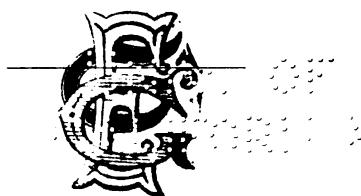
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THE COURIER COMPANY,
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THIS VOLUME
IS
Dedicated to the Memory of my Father,
HARVEY PUTNAM.

HIS NAME STOOD FOR JUSTICE AND HONOR;
HIS LIFE ILLUSTRATED EVERY
PRIVATE VIRTUE.

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P R E F A C E.

A WORD of explanation may properly accompany this volume. In former years, when certain questions that involved the most sacred rights of citizens, in connection both with the Church and the State, were agitating the public mind, it fell to me to take some part in their discussion.. Believing the principles involved in some of those questions to be of permanent interest, I have thought such a record of the controversies due to the subjects themselves. Then, again, to me has been assigned the office of interpreter of the spirit of some of our local institutions and of the lives of some of our representative characters— institutions and characters which are, and must continue to be, no small part of the pride and honor of Buffalo.

If that duty was in any degree properly discharged, the collection of these studies may have some value as a part of local history.

The other papers, though of less permanent interest, naturally find a place in this volume.

JAMES O. PUTNAM.

BUFFALO, *January 1, 1880.*

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S P E E C H

DELIVERED IN THE SENATE OF NEW YORK, JANUARY 30, 1855, ON THE
BILL REQUIRING CHURCH PROPERTY TO BE VESTED IN TRUSTEES,
UNDER THE ACT RELATING TO RELIGIOUS CORPORATIONS.

MR. CHAIRMAN:

As I originally introduced, and subsequently reported this bill from the select committee, without stating at length their views, it seems proper that I should submit to the Senate the objects at which it aims, and the considerations which have induced my action.

The bill seeks uniformity in the tenure of Church temporalities. While my attention has, as a legislator, been called to the questions involved, I have been sensible of the importance of maintaining to all citizens of every shade of religious sentiment, the constitutional guarantee of the "free exercise and enjoyment of religious profession and worship." While I believe this principle is in no measure violated by the bill proposed, I remember that even this guarantee is made by the fundamental law, subject to the condition "that it do not lead to practices inconsistent with the peace or safety of the State." *Salus populi, suprema lex*, is the paramount idea of the constitution. This bill interferes with no belief, it strikes at no general and long-established policy of any Church,

TO VIMU
ADDRESSSES AND MISCELLANIES.

or of any body of religionists. It simply provides for the vesting of the title of lands dedicated to religious uses, in trustees of the congregation enjoying the same, in accordance with a law and policy of the State which are almost co-existent with its incorporation into the Federal Union. It may lead us to a better appreciation of this subject if we refer to that policy, and to the motives which led to its adoption.

The organization of New York, like that of her sister colonies, into a free and independent State, was the result of the triumph of the popular principle of the right of man to self-government.

That organization was the overthrow of all political power not emanating from the popular will, and of all undue prerogative on the part of a priesthood. New York, as she shared its labors and sacrifices, fully sympathized with the spirit of the Revolution, and has ever adhered to the republican policy in all matters pertaining to Church or State. If the founders of our State government were careful to secure to the people the right of governing themselves, and to throw around the citizen the safeguards of a constitutional liberty, they were no less careful to confine the clergy within their legitimate sphere as spiritual guides. This jealousy of clerical influence is one of the most marked features of our first State constitution. Let us look for a moment at the rock from which we were hewed. It is well, at times, to trace the stream back to its fountain.

The preambles of sections 38 and 39, of our first State constitution, which are declaratory of the free exercise of religious liberty, are as follows:

38. And whereas we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against *spiritual oppression and intolerance* where-

with the bigotry and ambition of weak and wicked priests and princes have scourged mankind, this convention doth, etc. (declaration of free exercise of religion, here follows).

39. And whereas the ministers of the gospel are by their profession dedicated to the service of God and the cure of souls, and ought not to be diverted from the great duties of their function, therefore no minister, etc. (concludes with a declaration of their ineligibility to any civil or military office).

Thus it appears that at the very origin of our State government, when was settled the policy which should exist for ages, with such modifications as a progressive civilization and an advancing sentiment of liberty might require, our fathers recorded their experience of past oppressions under priestly rule, and declared it to be their conviction that the safety of the State from "spiritual oppression and intolerance," depended upon the limitation of the authority of the clergy to what they might legitimately acquire in their office as spiritual teachers. Very soon after the adoption of the constitution, and in 1784, the legislature was called upon to form a system of government of Church temporalities, and one was carefully perfected in entire harmony with the theory of our political institutions.

Leaving the clergy "to the service of God and the cure of souls," they secured the independence of the laity, and the rights of conscience, by the most practical limitation of the power of the priesthood which could be obtained by legislation. The act of 1784 "to provide for the incorporation of religious societies," and which is substantially the act under which all Church property until very recently has been held, provided that the title of such property should be vested in trustees elected by the Church, congregation or society, occupying and using the same for purposes of religious worship. Slight modifications of that act have been made to meet the prac-

tice of two or three denominations of Christians, but none of them yielding the great principle that the laity should have the substantial control of the property, through their representatives elected by the body of the Church or congregation. This develops to us the policy of the State, and the constitution from which I have quoted reveals the considerations which led to its adoption.

It is a policy alike cautious and republican. It recognizes the justice of placing the control of consecrated property in the hands of those by whose sacrifices and bounty it was acquired. It manifests that jealousy of the power of the priesthood, not necessarily incident to their spiritual office, which their own experience, as well as the history of centuries of contest between the clergy and the laity, could not but awaken. This act secured the rights of conscience and the freedom of worship. It realized a central idea of the revolution,—a separation of Church and State. It was a practical embodiment of an American idea. A PRIEST FOR THE PEOPLE, AND NOT THE PEOPLE FOR A PRIEST.

Under this act, all the religious societies of the State soon organized. Protestant and Catholic alike, availed themselves of its provisions, and the line of demarkation of power between the clergy and the laity contemplated by the constitution, and defined by this enactment, has been carefully preserved until within the last few years. If it sometimes facilitated a change of dogmas in the faith of worshipers of a particular congregation, it has been supposed that what was lost to a self-claimed orthodoxy, was more than gained to the rights of conscience and the freedom of inquiry.

Under this republican policy, the different denominations of Christians have grown powerful in numbers

and influence, without any abatement on the part of the people of respect for their spiritual teachers. On the contrary, by divesting the clergy of all power over Church temporalities, and thus removing a cause of jealousy and strife, unhappy collisions have been avoided, and they have lived as the spiritual guides and the friends of their people, who, in turn, have reposed in them that confidence, and yielded to them that esteem, which belong to consistent piety and to useful lives.

Within the last few years has grown up in this State, a system of rule entirely antagonistic to the system I have reviewed, and in violation of the whole spirit of our constitution and laws. This is its history. As early as 1829, it was discovered by the prelates of the Catholic Church, that under American institutions, the system of committing the control of Church temporalities to the laity, led to a degree of independence of the priesthood, not in keeping with the absolutism of the Catholic hierarchy. Its tendency was to divide power with the clergy. To meet this difficulty, the following ordinance was passed in the Grand Council of Bishops, held at Baltimore, October 1, 1829:

COUNCIL OF BALTIMORE, *October 1, 1829.*

Whereas lay trustees have frequently abused the right (*jure*) granted to them by the civil authority, to the great detriment of religion and scandal of the faithful, we most earnestly desire (*optamus maxime*) that in future no church be erected or consecrated unless it be assigned by a written instrument to the bishop in whose diocese it is to be erected for the divine worship and use of the faithful, whenever this can be done.

Approved by Gregory XVI., October 16, 1830.

This, it will be observed, was expressive of no more than an earnest desire. It was an appeal to the *amicability* of the Catholic congregations.

That appeal failed of its purpose, and so much were the people disinclined to comply with this policy, when not urged as a *right*, that another step was taken in 1849, at the seventh Provincial Council of Bishops of the United States, held at Baltimore, when a measure of revolution was adopted, no less than the divesting of the Catholic laity of all power over Church temporalities, and its centralization in the hands of the priesthood.

The fourth article of the ordinances of that Assembly, is as follows :

ART. 4. The Fathers ordain, that all churches and all other ecclesiastical property, which have been acquired by donations or the offerings of the faithful, for religious or charitable use, *belong* to the bishop of the diocese; unless it shall be made to appear, and be confirmed by writings, that it was granted to some religious order of monks, or to some congregation of priests for their use.

This is no less than an act of confiscation. It does not even recognize the right of property in those by whose bounty it was purchased, but it arrogates to the bishops an *actual proprietorship*, and by *absolute* decree of this ecclesiastical council, so far as it could be enforced by persuasion and discipline, transfers the possession, control and ownership of millions of property from the laity to the clergy.

This was a policy on the part of the Catholic clergy, no less bold in its antagonism to the whole theory of our government, than happily adapted to the objects of control at which it seems to have been aimed.

It may be added, that this ordinance was submitted to, and received the approval of, the Pope of Rome.

Immediately upon the promulgation of this new order, the bishops in their respective dioceses throughout the United States, commenced the effort to obtain the sur-

render of all corporate churches on the part of their congregations, and the transfer to them individually, of the titles to Church property, cemeteries, seminaries of learning, hospitals, etc. In most instances in this State, it being made a test of good Catholicism, these transfers were made without protracted resistance. In other instances, among congregations imbued with the spirit of our free institutions, and who had learned to recognize as just the division of power between the clergy and the laity which our civil polity had established, this demand was resisted. The Catholic laity claimed that their rights did not exist by mere sufferance of the clergy. That having organized into corporations in pursuance of our laws, they were bound as good citizens to abide by the policy of the government whose protection they enjoyed. When this resistance was protracted, it led to the most unhappy controversies. And wherever the congregations have finally refused to yield their franchises, and surrender their titles in obedience to the Baltimore ordinance, they have suffered the severest penalties which can, in this country, be inflicted upon the Catholic communicant. The Church of St. Louis, in the city of Buffalo, is one of the congregations which have adhered to the policy of the State. This congregation is composed of a French and German population, most of whom have been for many years residents of the United States.

Their petition to this body details an unhappy controversy of several years. The real estate upon which their church edifice was erected, was in 1829 conveyed for the use of a Catholic congregation to be thereafter organized, by the late Louis Le Couteulx, a man most honorably associated with the history of his adopted city and State. In 1838 the congregation was organized under the laws of this State, and seven trustees elected, in whom the title

vested by virtue of the act in relation to religious corporations. Before the passage of the Baltimore ordinance, Bishop Hughes "attempted to compel the trustees to convey the title of this Church property to him." After the Baltimore ordinance, more vigorous measures were set in operation by the bishop of that diocese, to compel the transfer of the title. A son of the grantor of the land made a visit to the Head of the Church at Rome, to obtain an equitable adjustment of the controversy. The result was, the deputation of Archbishop Bedini, a nuncio of the Pope, to visit the Church, and, if possible, settle its difficulties. The nuncio refused any terms, except those which had been previously made by the bishop, compliance with the Baltimore ordinance, and transfer of title. In September last the bishop made his final proposition for an adjustment, which was rejected.

For this adhesion to our laws on the part of the St. Louis congregation, their trustees have been excommunicated. Every sacrament, every sacred privilege most dear to the sincere Catholic, have been denied the members of the congregation.

In their petition they say:

For no higher offense than simply refusing to violate the Trust Law of our State, we have been subjected to the pains of excommunication, and our names held up to infamy and reproach. For this cause, too, have the entire congregation been placed under ban. To our members the holy rites of baptism and of burial have been denied. The marriage sacrament is refused. The priest is forbidden to minister at our altars. In sickness, and at the hour of death, the holy consolations of religion are withheld. To the Catholic churchman it is scarcely possible to exaggerate the magnitude of such deprivations.

We yield to none in our attachment to our religion, and cheerfully render to the bishop that obedience, in spiritual

matters, which the just interpretation of our faith may require; but in respect to the temporalities of our Church, we claim the right of obeying the laws of the State, whose protection we enjoy.

While the bishops have been securing the transfer to themselves of the title of Church property consecrated at the time of the action at Baltimore, they have taken in every instance in this State, so far as I can ascertain, the title of all property which since that action has been purchased for Church, educational, or charitable purposes, in connection with the Catholic communion. In the county of Erie alone, nearly sixty different conveyances of lands have been made to John Timon, the bishop of the Buffalo diocese, during the last seven years, and the value of this property is estimated at over one million dollars. This property consists of sites of churches, cathedrals, hospitals, and educational establishments, besides a large amount of yet vacant lands. Some estimate may be formed of the vast aggregate of property now vested in the three Catholic bishops of New York, from this statement in relation to a single county which contains but one city, and that having but seventy thousand inhabitants. The legal effect of this proprietorship in the bishop, is to vest the absolute title in him as an individual, so that were he to die intestate, it would go to his heirs. But it is presumed that he lives with an executed will which devises his property to his successor in office, thus practically creating a close corporation sole in the bishop of the diocese.

This then is the present position of this question.

Our constitution and policy are republican.

The State guarantees the freedom of worship and the liberty of conscience to all its citizens. As a part of its policy, and to prevent that undue influence of the priest-

hood over the people which is alike incompatible with the personal freedom of the citizen, and with the safety of the State, it has engrafted the popular element upon the system of rule in Church property.

The State finds a counter policy in the Catholic Church. Its democratic system is met and antagonized by the absolute element of a spiritual power defiant of all our usages and laws.

It finds millions of property wrested from the hands of congregations, and concentrated in individual ecclesiastics.

It finds a priesthood, not content with the legitimate influence which belongs to their character as spiritual guides, securing a power over timid consciences little less than absolute, through their control over every consecrated place.

It finds this system of rule creating bitter dissensions between priest and people, dangerous to the peace of society.

It finds itself called upon by Catholic congregations, whose only crime is that they have obeyed the laws, to interpose between them and these ecclesiastical exactions.

Has the State a duty to perform in view of these facts?

What, sir, will the State answer to the Church of St. Louis, and other congregations sympathizing with it, whose sufferings for adhering to our laws are so forcibly depicted in their petition? To say nothing of the great principles involved in this question, on which side should be found the sympathy of the government? With those who seek to establish a policy at war with its own system, or with those who would respect your policy and obey your laws? Should it be with that absolutism that toler-

ates no freedom of speech, no license of opinion, and which can grow strong only at the expense of your vigor, and can become dominant only upon the ruins of republican liberty? Or shall that sympathy be extended to those who, cherishing the Catholic religion, would mould its policy to the theory of our government, and would submit their system of rule to that modification which it must receive from contact with institutions like ours? I cannot, as a legislator, nor would I have the State look with indifference on a controversy like this. On the one side is priesthood, panoplied with all its power over the pockets and consciences of its people, armed with the terrible enginery of the Vatican, seeking in open defiance of the policy and laws of the State, to wrest every inch of sacred ground from the control of the laity, property secured by their sweat and sacrifices, and to vest it in the solitary hands of a single bishop, that he may close the door of the sanctuary, put out the fires upon its altar, and scourge by his disciplinary lash every communicant, from its sacraments, ordinances and worship, who dares think a thought independent of his spiritual master. On the other hand, we see a band of men who have lived long enough in their adopted country to have the gristle of their liberal opinions hardened into bone, men devoted to the Church of their fathers, but who love the State to which they have sworn allegiance and who respect its institutions, we see them resisting with a heroism which would honor the age of heroes, unitedly, unwaveringly, in defiance of bulls of excommunication from bishop, legate, and the Pope, every attempt to override our laws, and to establish on the soil of Freedom the temporal supremacy of a priesthood.

Sir, the Muse of History has rarely transcribed to her records, an act of heroism surpassing that which was

enacted at the Church of St. Louis, in Buffalo, on the tenth of September, 1854, when, after years of painful controversy with the highest authorities of the Papal Church, its congregation met its bishop to decide upon his *ultimatum*. That ultimatum was, that the congregation should elect trustees, to be selected by himself. In other words, he would allow the congregation to be the throne, but he was to be the *power behind it!* How did they meet this ultimatum? As martyrs, refusing to yield the tithe of a hair from their original position. And there stands to-day, a proud monument of the devotion of that people to a true citizenship, that magnificent edifice, as for five years it has stood under the curse of the bishop. There, still floats over its tower, the black flag, symbolical of the darkness which envelops the altar over which it waves, bearing the significant inscription, "Where is our Shepherd?" That church is the political Thermopylæ of the age.

Sir, these Catholic citizens of Buffalo to-day appeal to the State through their representative for protection in this, their fidelity. Urged to violate their oaths of allegiance to your laws, they have kept them inviolate. On which side, again I ask, shall the State be found? Will it be with that power which exalts its head above the State, which makes obedience to you the signal for excommunication and the fatal interdict? Aside from the question of justice, has the State no dignity to maintain? Were the question never so insignificant, it would be its duty to vindicate its authority, and to hedge up by legislation against its indirect violation.

When it ceases to be sovereign, it sinks into contempt. No free State should tolerate, nor can it long survive, an *imperium in imperio*, which lives defiant of the civil power.

I propose to submit a few considerations why we should not second the policy of the Baltimore ordinance. To say nothing here of the political antagonisms of the Romish policy to our institutions, I would remark, that no clergy, of any denomination or faith, should be vested with the power contemplated by that ordinance.

I yield to no man in a due respect for the spiritual office, but there is to be found in its very nature a reason why it should not be associated with temporal power. It was the teaching both of his observation and his historical studies which led Lord Clarendon to say, that "of all mankind, none were so ill-fitted for the management of affairs as the clergy." Whenever invested with civil power, or with those elements of control outside of their influence as spiritual guides which operate upon the consciences and pockets of men, they have as a class been the enemies of toleration, and, when forming a part of the civil power of the State, the defenders of its abuses and of its efforts to crush dissent and independency. Not to Catholic States alone need we go for the proofs; they are to be found in the history of the English Church from Henry VIII. to the present century, and to every other era of clerical domination. The "Convocation," an assembly of the established clergy, even after the revolution of 1688 claimed to be independent of parliament, and dictated to it a policy destructive of all toleration save for the doctrines of the Establishment. Great as is the debt of gratitude due from the Christian world to William of Orange, for no one act of that great statesman and true friend of civil liberty is it more indebted than for his final prorogation of that body.

The Corporation and Test acts, which so long disgraced the statutes of England, and the acts relating to Catholic disabilities, always found defenders in the established

clergy. When Fox and Burke led the attacks in the British parliament against these oppressive statutes, mitered bishops entered the list to oppose them, as if religion could not exist out of the Church. "*Episcopacy may fail, but religion exist,*" was the noble reply of Burke, and to a Protestant laity is England indebted for the great triumph of religious liberty secured by the repeal of those acts. Clergymen naturally feel that they have charge of the most important of all possible interests, the souls of men. Confident of the truth of their own dogmas, and looking upon schism and dissent as fatal heresy, they are easily led to the belief that it is their highest duty to bring all the enginery of the Church and the State to crush out the first appearance of a revolt from their Church formulas and Church economies. If it is said that this argument holds good only with the clergy of an Established Church, I answer it is because an Establishment can invoke the aid of the civil power to compel conformity and embarrass dissenters. The same element of intolerance, allow it full development and license, exists in the bosom of every spiritual teacher.

But, I answer further, that in permitting a powerful Church to obtain the control contemplated by this ordinance, which, where it may, invokes the civil arm to crush out all dissent from its faith, we cherish one of the most dangerous evils of an Establishment.

An Establishment is a constituent element of the State, and aids in the formation of its laws, and gives tone and shape to its policy. So far as it can bring the co-ordinate branches of the government to adopt its views, so far it is felt as a power for weal or for woe. The danger to liberty, and the injustice to non-conformists and to dissenters, consists in the power to control, and it is only dangerous as it possesses that power. But here, sir, in

the bosom of this free State, we find a hierarchy having no sympathies with our institutions, but in direct antagonism to the principles on which they rest, admitting no supreme fealty to the civil power, but acting under the impulsive energy of its Italian center and head, not as a co-ordinate part of the government, but exalting itself above the State, and regulating its millions of Church property utterly defiant of our policy and our laws. It stands before us naked of apology, and can plead nothing but the *sic volo* of an usurped prerogative.

To favor the despotic control over the consciences of vast masses of our citizens, and consequently over their action, which the Baltimore policy would concentrate in a score or two of bishops throughout the United States, leads to many of the evils of a union of Church and State. Our government seeks the disintegration of this power. The theory of the Catholic Church is, that it must be a unit—a unit in doctrine, a unit in practice. The Catholic priest, under the most liberal of systems, has a vast influence over his charge by virtue of his office. Superadded to this, when he is invested with the power which the absolute proprietorship of all sacred places can give him, when the altar belongs to the priest, when the church and cathedral are his, where the Catholic hopes to worship while living; when the cemetery is his, securing to him the keys of the consecrated grave; when the hospital is his, admission to whose charities is upon the terms he shall dictate; when the Catholic colleges and other seminaries of learning are his; when the tens of millions of property, the donations of the faithful, are all the absolute proprietorship of the priest, have you not the elements of a “power in the State,” whose harmlessness rests only in its forbearance? Is it said this power will not be exercised? That, if tempted by some future Catiline to conspire against

the liberties of the people, it will spurn the offer? Is this the lesson of history? So judged not our fathers who framed the first State constitution, and who declared in letters which should be graven upon the American heart as with "a pen of iron," that in founding the basis of free empire they "were" *required* to guard against "that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked priests have scourged mankind." Distrust of power is written all over our constitution and our laws. The elements of power most provoking this distrust were the spiritual and the money power. The one was paralyzed, so far as was necessary to render it harmless, by establishing the freest license of religious sentiment, the right of dissent from any or all dogmas, the right of *revolt* from all Church economies, leaving responsibility for his faith to the conscience of the citizen and to his God. Every new sect diminished this power, and thus schism became an element of political security. Thus were drawn the teeth of the spiritual power. The money power was rendered harmless by our statute of distributions and of inheritance, by prohibiting the entailing of estates, by preventing accumulations in corporations, by the process of distribution of that power rather than of its concentration. Our statute in relation to religious corporations is one of the most marked and happy illustrations of this principle, where every member of each separate congregation who contributes to the support of worship, has a voice in the control of the Church property, and a recognized proprietorship therein.

The Baltimore ordinance is the antagonism of all this. It abhors the policy of disintegration, and seeks the absolute control over the laity by the concentration of the spiritual and temporal power in the priesthood. Two millions of Catholic communicants in the United States,

and probably thirty millions of consecrated property, and all under the absolute control of perhaps fifty bishops, and they acknowledging allegiance to a foreign and absolute potentate! Continue this policy for fifty years, when the Catholic population shall be twenty-five millions, and the property of the fifty bishops almost beyond computation, and I venture to say that the Church, represented in its ecclesiastics, will be stronger than the government, and will dictate the terms of its existence! The crushing weight of such a power can be lifted only by the strong hand of Revolution. All the statutes of mortmain, which English parliaments could devise, did not save the necessity of the confiscation of the estates of the Catholic clergy to save the ascendancy of the crown. France affords another illustration. It was a corrupt priesthood, enriched at the expense of labor, which bolstering up the Bourbon throne, with it as an ally, ground the million masses to powder. Church exactions and State oppressions were the wrongs which exorcised from the deeps of popular rage, the Genius of Revolution, which swept, as with iron hail, every vestige of regal and ecclesiastical rule from the land. The Triumvirate rode the whirlwind, and for a time guided the storm, but they did not create them. They were the natural offspring of abuses in Church and in State.

Mexico is to-day a living illustration of the tendency of Church accumulations, when unrestrained by law. It is almost literally the proprietorship of the Catholic Church. And there the heavings of one revolution have hardly subsided before we feel the convulsive throes of another. New York is not without her experience of the evils of large landed estates acquired before the revolution. The original crown grants to Trinity Church are, if vested rights cannot be disturbed, constant objects of

jealousy and distrust. Even now the question of submitting their titles to judicial scrutiny is urged to the legislature as a great measure of public policy.

The accomplished attorney-general (Ogden Hoffman), whom I now see before me, is already instructed to bring them before the judicial tribunals.

The large landed estates in some of our eastern counties have, in late years, led to revolutionary excesses alike reproachful and perilous. So much opposed are they to the spirit of our institutions, that their proprietors have felt compelled to compromise their legal rights, and to take steps looking to an entire surrender, upon considerations agreed upon by parties interested, of their feudal tenures and policy. Our last State constitution has carefully guarded against the possibility of the introduction into the State of this system of tenantry.

There is another reason of State why the control of Church property should be in the laity.

Our government is anomalous. It depends for its security upon the development of the higher elements of the individual man. It places upon him the responsibility of rule. If he be the slave of a priesthood, the first political allegiance of his heart, whether he be a native or an adopted citizen, will be elsewhere than to the government which protects him. If he surrender a portion of his franchise to his spiritual teacher, he will soon be prepared to surrender all his judgment, all his political individuality, to the same ambition.

The consciousness of that independence of spiritual control which proprietorship in sacred places creates, is one of the processes of development of individual manhood which the State cannot afford to surrender. Property is power. The State has a positive interest in retaining that element of influence in hands where its

possession will lead to attachment and fealty to its government. The people should trace their right to worship in consecrated places built by their own sacrifices, to the government, which would by its beneficence win the affections of its citizens, and not to an ecclesiastic who will make blind submission to his authority the terms of spiritual consolation, and of admission to consecrated ground.

There is another consideration why the clergy should not step out of their sphere as spiritual teachers, affecting themselves. The purity of the clergy depends upon their separation from the secularizing tendencies of politics and power. There can be no just respect for that office when associated with secular affairs. They are not above the reach of temptation. Their preservation from demoralization depends upon their seclusion from the paths of ambition. We are not without examples which should ever be as a waving sword between them and the avenues to temporal power. "I have chosen you, twelve," said the Saviour of the world, "and one of you is a devil."

Mammon,

"The least erected spirit, that fell
From Heaven,"

was the seducer of Judas.

The thirty pieces of silver have paved the road to infamy for many of the successors of the betrayer of his Lord.

The Romish Church is not without its distinguished examples of spiritual death through the influence of a grasping ambition. Wolsey,

"That once trod the ways of glory,
And sounded all the depths and shoals of honor,"

on the exposure of his schemes to compass the power of the throne, and "gain the popedom," uttered to his faith-

ful Cromwell a sentiment which the poet has invested with the charm of his genius, but without the slightest addition to its truth or power.

“Cromwell, I charge thee, fling away ambition,
By that sin fell the angels. How can man then,
The image of his Maker, hope to win by ‘t?”

What wonder that this poor cardinal, who was glad to beg a little earth for charity, that he might lay down his weary bones and die, should exclaim in view of his fall,

“— O Cromwell, Cromwell,
Had I but served my God with half the zeal
I served my king, he would not in mine age
Have left me, naked, to mine enemies.”

It is the history of the Church in every age, that its purest examples, and most eminent piety, were among those who literally went “about their Master’s business,” entirely separate from the objects of ordinary ambition.

The general argument I have pressed would hold good in relation to any body of ecclesiastics; the evils of the policy of placing this power in a priesthood, are incident to the system, whatever may be the spiritual character or relations of the clergy who may be vested with the power I have deprecated. But there is another view of this subject to be taken, which looks to the peculiar danger to our institutions, which will grow from the union of the spiritual and temporal power in the Catholic priesthood. And that I may not be misunderstood, I wish here to say that all I have said, or may say hereafter, in relation to the Catholic policy, and the danger involved in it, is confined entirely to the ecclesiastical policy of that Church, and not to its doctrines of religious faith. With these I have nothing to do. I have no controversy with a man who worships saints and believes in the “real presence.” I have no doubt there is a broad road to Heaven through the Catholic Church. I may think much or little of a

congress of bishops from the ends of the world, who shall meet in the Seven-hilled City, and sit for days at the feet of the Papal See resolving the "Immaculate Conception of the Virgin." It may not accord with my views of what themes should in the middle of the nineteenth century occupy so wise a body, but certainly it is a harmless discussion, and may be a harmless faith. I have to do with a policy other than mere dogmas of this character.

A law which shall prohibit the accumulation of property in the hands of the Catholic bishops I deem vitally necessary as a measure of safety to our political institutions.

We cannot neglect to impose these legislative restraints, and take care that the State suffer no detriment. A popular government may still be an experiment, and time, under the happiest influences that human wisdom can devise, may prove their fatal tendency to decay and dissolution. But we are committed to this experiment. All our character as a nation, all our pride in past achievement, all our confidence in present security, all our hopes of future glory, are concentrated in the hopeful capacity of intelligent man for self-government. We are bound to give this experiment a fair trial, to protect it in all constitutional ways against every influence adverse to its success. The political theory of the Catholic hierarchy is in direct antagonism to the republican principle. Its theory is, that the individual man is absorbed in the Catholic religionist, and the religionist in the head of the Church. The first allegiance of the true Catholic, according to the theory, is to the papal power, his allegiance to human governments entirely subordinate. This doctrine is as boldly avowed in this country as it is in Rome. One of the most carefully written papers of Mr. Brownson, in his Catholic Review, a gentleman of high endowments, and who has recently, in an appointment to a professorship

in a Catholic university, received the highest evidence of Catholic confidence, maintains this doctrine.

This principle and its most natural illustration, are found in a recent number of the *Civila Catolica*, published at Rome, and the immediate organ of the Pope. That paper, of date fifth of August, 1854, submits the following to the world :

That excommunication (of a ruler) by the Church has, as an unavoidable result, the dissolution of the tie of subjection and of the oath of fidelity.

I take the liberty of quoting the language of the New York *Tribune*, commenting upon the declaration, which well says:

According to this, if a Pope should lay his ban upon the Government of the United States, Catholic subjects of that government would become *ipso facto* absolved from all fidelity thereto.

The quotation which I made from the *Civila Catolica*, published at Rome, declaring that "excommunication by the Church has, as an unavoidable result, the dissolution of the tie of subjection and the oath of fidelity," is almost a literal translation of an article of the canon law, which is found in Decretal i. v., title 37, c. 13, "*Domino excommunicato manente, subditi fidelitatem non debent, et si longo tempore in ea perstiterent, et nonitus non pareat ecclesiae, ab ejus debite absolventer.*" (While a prince is under excommunication, his subjects do not owe him obedience, and if he shall continue for a long time under it, and shall not obey the commands of the Church, they are absolved from his allegiance.) [See 4th vol. Hallam's History of the Middle Ages, p. 93, Philadelphia edition of 1821.]

This, sir, is the theory, and in accordance with it, is all

their discipline, even their oaths of office pledge to this policy all their spiritual teachers.

Now what is the position of affairs in this country? We have two million Catholics, ministered to by hundreds of priests. Who are these Catholics? The great mass of them are foreigners, many of them from the most absolute governments, governments in which the Catholic religion is the religion of the State, where the political education of the Church has been that blind submission to the spiritual and the political power, is the duty of the true Catholic. Through this mutual support of the hierarchy by the government and the government by the hierarchy, through its control over the Catholic conscience, the absolute element in European politics has been maintained. Revolution has slumbered—the Church has administered the narcotics. Who are the spiritual teachers of our Catholic citizens? A native clergy? No, sir, the native is the exception to the rule almost universal. The Catholic priesthood of this country are generally foreigners, educated in the most absolute doctrines of Papal supremacy, who have no faith in human progress, who regard the doctrine of individual independence as heresy. From necessity they are the enemies of republican institutions. Why is this? Republican institutions favor the right of private judgment. They invite the individual to break away from a blind submission to his spiritual guide, and to repose his conscience in the keeping of his God. They deny the supremacy of the Pope, and demand to the government the first political allegiance of the citizen. Hence their whole policy is to disintegrate that power which the Church is permitted to wield in despotisms.

Should the State look with indifference upon this foreign control of this vast mass of mind, educated in this

doctrine of blind obedience to a power that assumes to be superior to the State?

Whatever of influence the clergy can retain through their office as teachers, while acting in conformity with our systems of polity, which are themselves adapted for general safety, is well. But it is madness in the State to permit a policy, the antagonism of its own, to obtain, which tends to weaken the tie of citizenship, while it builds up an overshadowing power of money and influence, all of which is under the control of the most absolute potentate on the earth.

Why was this ordinance of Baltimore enacted, transferring the consecrated property of two millions of American citizens to a half hundred foreign priests? Why was this policy adopted for free America, which can exist nowhere, except with the most absolute governments of Europe? It was a stroke of policy worthy the conception of a Hildebrand, far-seeing, appreciative of the contagious character of our institutions, and of their influence on the American Catholic mind. No wonder it met the approval of the Roman Pontiff. That policy—perhaps the confession is indiscreet, but I do not purpose any concealments in what I have to say—was necessary to retain the absolute ascendancy of their priesthood over the Catholic communion. Nothing short of this concentration of power and influence could retain, in blind subservience, a generation of Catholics born under our government. He would be comparatively a wise man, who should hope to press down with the palm of his hand the heavings of the volcano, or by a word to appease the spirit of the storm as it rides forth on the blast, to him who should hope for the birth and education under our republican system, of a generation of men of a foreign parentage, who would bear the yoke of priestly rule as

tamely as did their fathers. There is contagion in the spirit of liberty. Undoubtedly that "abuse," spoken of in the Baltimore ordinance, which consists in a claim on the part of the laity to be represented in the temporal power of the Church, and to seek its adaptation to our own general system of rule, did exist, even as early as 1829. That it now exists, to a degree which threatens to weaken the power of the clergy over matters not legitimate to them, is evidenced by the struggle between the laity and the priesthood, in almost every State of the Union. Not in the Church of Buffalo alone, is found this spirit of *protest* against the absolute claims of the clergy. The Church of St. Peter of Rochester is in the same controversy, and among other congregations, I understand, in the city of Troy, and New York, in Cincinnati, in Louisville, in Detroit, indeed all over the country, either covertly or openly, are to be found in the Catholic mind the workings of the republican leaven. I do not mean by this that any revolution is in progress in relation to mere theologic questions. I believe there are none, but the controversy is purely in relation to questions of control, and of limitation of the clerical power to their office as spiritual teachers.

But the Church will answer me, that unless the priest control the altar, there is danger of schism, and that it will invite their people to protest against Church dogmas and Church polity. I would reply that this is the land of dissent, that its institutions tolerate and invite dissent, that they were founded by those who were said by England's most philosophic statesman to have embraced a religion which was the very "dissidence of dissent," and that its government cannot employ itself in forging chains for the human mind, or fetters for the conscience. On the contrary, it encourages research, it is hopeful, and

not fearful of schisms growing out of enlightened inquiry on all questions of policy or faith. Its distrust is of the individual. Its confidence is in the species. In an earlier day, when were urged to parliament the same reasons for forbidding the publication of dissenting opinions, Milton, that

“Great orb of song,”

uttered a sentiment worthy of him and of his age, which is expressive of the confidence of the spirit of American democracy :

When the cheerfulness of the people is so sprightly up, that it has not only wherewith to guard well its own freedom and safety, but to spare, and to bestow upon the solidest and sublimest points of controversy and new invention, it betokens us not degenerated, nor drooping to a fatal decay, by casting off the old and wrinkled skin of corruption, to outlive these pangs, and wax young again, entering the glorious ways of truth and prosperous virtue, destined to become great and honorable in these latter ages.

Was it not our country, upon which the prophetic vision of his mind rested, in that sublime rhapsody, when even his genius was kindled with unwonted fires?

Methinks I see in my mind, a noble and puissant nation, rousing herself like a strong man after sleep, and shaking her invincible locks. Methinks I see her as an eagle, mewing her mighty youth, and kindling her undazzled eyes at the full mid-day beam, purging and unscaling her long-abused sight at the fountain itself, of heavenly radiance, while the whole noise of timorous and flocking birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble, would prognosticate a year of sects and schisms.

No, sir, the Catholic hierarchy cannot ask our government to aid in perpetuating its venerable dogmas, or its hoary political abuses. The day has passed in all govern-

ments embodying in any considerable degree the popular element, which regards the plea of *prescription* in behalf of ancient opinions, errors, or systems. The age is a living demurrer to this defense. Our government has but one reply to this cry of alarm, that in republicanizing the system of rule over Church temporalities, we weaken the tie between the priest and the people, and invite to independency and dissent.

Being a government of dissent, and popular in all its theory, it cannot be moulded to meet more absolute systems of rule. It admits the transplantation to its soil of every exotic, spiritual or political, that can find it genial to its nature. Whether they are so, and can bear the transplantation, or whether they languish and die, is of no interest to the Genius of American Democracy. Its office is spent when it has taken care that the State suffer no detriment, and that there spring up in its midst no hostile element of power.

I know the Catholic priesthood have no sympathy with these sentiments, nor with the spirit of the age which generates them. They as stoutly deny the rights we claim for their people as they did under the iron rule of the Gregories. Upon every other system which has come in contact with modern civilization, more or less impression has been made, modifying their severe features, and conforming them to the more liberal policy of the age. But the Procrustean bed of Catholic politics remains unchanged. In the crucible of the Centuries, its system of rule has undergone no transmutation. It took Anglo-Saxon Protestantism but about two centuries to work out its illiberality and intolerance. It did not spring like Minerva from the head of Jupiter, a complete creation from its birth. In Old England and in New, its origin was marked by the sentiment of a persecuting age, and blood

was found upon its garments. But it bore within itself the elements of its own purgation, and to-day it stands before the world regenerated from its intolerance, and full panoplied in all the elements of a liberal civilization. It has a free press and open Bible, an universal education and a tolerant government. It takes struggling humanity by the hand, and leads it up to the heights of personal character. It leaves man, not a blind worshiper at the outer door, but invites him to the inner shrine of great Nature's Temple, and to be himself, as a priest, in the service of Truth and of God. Such is, in the middle of the nineteenth century, that Genius of REVOLT against abuses of Church and of State, named PROTESTANTISM. One more general view of this subject.

Catholic States, consistent in their theory that heresy is crime, close the doors against all protest, and crush out by penalties, by exile or death, all who defy the omnipotent authority of the Church. It is to be remembered that while Spain and Portugal are Catholic countries, ours is a Protestant country, and in its highest sense, a Protestant government. I know the State, as such, recognizes no religion as peculiarly its own. But in its sympathy, in its tone, in its spirit and in its origin, it is Protestant. What constitutes a country? Surely not that alone which belongs to its physical, but that which pertains to its moral, its social, its intellectual, its political character. It is found in its civilization, in its sentiments, in its heart-enthroned prejudices which have themselves become principles, guiding-stars of a people's thought, and the impelling power to a nation's action. Judged by this standard, ours is a Protestant country and a Protestant government. Protestantism for the most part formed its early settlement. Protestantism laid the basis of our State and National institutions. A Protest-

ant laity, independent in political action of priestly control, infused into all our policy that liberal leaven which has given the utmost freedom to religious opinion and worship, and enabled even the Catholic hierarchy to grow so dominant in our midst. The Catholic clergy and their Italian head have no claim upon our comity to sacrifice a national policy to a transatlantic system, the direct antagonism of our own.

It is proper, before concluding my remarks, to analyze a little more particularly the bill under consideration.

The first section seeks to invalidate future conveyances to priests and bishops, in their official character. It would prevent the evils of permitting ecclesiastics to become in fact, corporations sole, with power to acquire lands in perpetuity.

The second section invalidates all future conveyance of lands consecrated or appropriated, or intended so to be, to purposes of religious worship, unless made to a religious corporation organized under our laws. This is to prevent the future acquisition of that class of property in the hands of individual priests.

The third section seeks to execute a moral trust wherever such a trust exists in the hands of individuals, by declaring that property, of the character named in the second section, shall be deemed to be held in trust for the benefit of the congregation using the same, and shall vest in their corporations after the decease of the person holding the legal title. In this respect, it is analogous to our statute of Uses and Trusts, by turning a trust estate into a legal estate, and vesting the absolute title in the party having the equitable interest.

Section four declares that the property shall escheat to the State, on the decease of the party holding the legal

title, unless the congregation shall so far conform to our system and laws, as to organize into a corporation.

Section five recognizes this estate so vesting by escheat in the people, as a moral trust, and provides for the conveyance of the property to the trustees of the society using the same whenever the society shall organize into a corporation.

The whole object of these latter provisions, is to compel bishops and priests of whatever denomination, Protestant if such there be, or Catholic, to permit the incorporation of their societies, in order to protect their titles. If they will not obey the laws of the land, will not conform to its policy, they are without the pale of, and have no claim on, its protection in relation to this class of property.

I would, in passing, remark that even with the free consent of their congregations, the State ought not to permit so insecure a trust of so vast possessions. The want of a subscribing witness to a will, or some other statute informality, not to name any other cause, would transfer the entire consecrated property in the diocese in the Catholic connection, to the next of kin to the bishop. The remedy for so great an outrage would exist only in the free will of those in whom the laws of inheritance should vest the title.

This is not novel legislation. Both it and its occasion have their counterpart. Let us look for a moment into the iron visage of the past, and see in it the reflex image of our present.

The spirit of English liberty was ever jealous of priestly prerogative. Having the sole control over spiritualities, the Catholic clergy were in the middle ages, as now, active in securing the same centralization in themselves, of temporal power. They understood the philosophy of human nature well enough to know, that the possession of

the physical wealth of the State, would greatly facilitate their attainment of all other desirable influence. Through this, the Church could control the consciences of the people, and the policy of kings. Hence it was, that in the darkest hour of the middle ages, when the English throne scarce had a being save at the pleasure of the Roman Pontiff, nearly one-half the real estate of the kingdom was absorbed in the Catholic Church. The Church was everything, royalty but its shadow. The spirit of English liberty, whenever it incited revolt against abuses, attacked the grasping element of the Papal hierarchy, and it never felt that it had achieved a substantial victory which did not diminish that overshadowing power, and prevent its acquisition of real estate. So vital was this regarded, so essential to the liberty of the citizen, that it was provided in *magna charta* itself, that great bill of rights of Englishmen, that lands should not thereafter be given in *mortmain* to religious houses—that is, to remain forever from ordinary use and alienation. This statute was evaded by the clergy through the system of leasing lands, to prevent which, was passed the statute of Edward, *de viris religionis* (concerning priests), which forfeited to the crown lands taken in *mortmain*. The following is a copy of this provision:

No person, religious or other whatsoever body politic, ecclesiastical or lay, sole or aggregate, shall buy or sell any lands or tenements, or under the color of gift or lease, or by reason of any title receive the same, or by any other craft or engine, shall presume to appropriate to himself, whereby such lands may in any wise come into *mortmain*, under pain of forfeiture of the same. And within the year after the alienation, the next lord of the fee may enter. And if he do not, then the next immediate lord from time to time to have half a year, and in default of all the mesne lords entering, the king shall have the lands so alienated forever, and shall enfeoff others by certain services.

This was again evaded by false actions, and judgments obtained by collusion, whence titles called *common recoveries*, which was met by another statute in the same reign. The next device to evade the statute, was by conveying lands in *trust* for the *use* of the clergy, to meet which, parliament passed an act of forfeiture in the reign of Richard II., unless held by consent of the king. The compulsory feature of nearly all the English acts of mortmain consists in the forfeiture of the lands to the crown, which were grasped by the clergy in violation of the policy and law of the land.

The last general English statute on this subject, passed in the reign of George II., as well as the statute of 43 Elizabeth, specially designates what grants and devises shall be lawful for charitable uses, and invalidates every conveyance and devise not authorized by those acts. To watch the clergy, has been the business of parliaments, to save their lands from mortmain, the business of the people, for centuries past; well is it if it be not so for centuries to come.

The great end to be attained by this bill, as I have argued at length, is to divest the clergy of the power of control over Church temporalities. The only modification of this bill I have heard suggested, authorizes the bishop of the diocese to appoint three trustees, should the congregation decline to avail themselves of their legal privileges of incorporation. This would, in my judgment, leave the evil almost untouched. The result would be, that that discipline which has compelled so many congregations to surrender their charters, would be brought to bear upon them, to compel them to waive their rights under the bill, and allow the bishop to select his own trustees. This was the very point which Bishop Timon was at last prepared to yield to the Church of St. Louis.

Of course the bishop would in every instance select the most facile instruments, who would be invested with a nominal authority, but leaving the control still absolute in himself. To resist his will, would require as much fortitude then, as now, and how few congregations but would endure almost any privation, rather than suffer as all resisting Catholic congregations have suffered. I take the liberty of reading an extract from a letter addressed to me by an eminent Catholic, and a trustee of the Church of St. Louis, in Buffalo, bearing witness to these persecutions. He says:

In the United States of late years, the archbishops and bishops, setting their will above the laws, met in a synod at Baltimore and adopted a decree by which no church was to be consecrated, if not previously deeded to the archbishop or bishop in whose diocese it was situated! Not satisfied with that awful step, they declared an unrelenting war against all the incorporated Catholic congregations, and by incessant demands, threats, all kinds of religious deprivations, and lastly by excommunication, succeeded in destroying those lawful associations.

In Buffalo there is now but the St. Louis Catholic Church which is incorporated, but to what religious deprivation have they not been condemned by their bishop for their resistance to his will! Their priests taken away from their church, the congregation deprived of religious marriage, the sick of the holy sacraments, and their trustees excommunicated! Indeed, it is no wonder, after so much suffering, that so many Catholic congregations should have submitted to their bishops in annulling their charters and deeding their churches to them.

Says the Nuncio Bedini, in his farewell letter to the Church of St. Louis:

The bishop does not ask for himself the administration, he is ready to place it in the hands of members of your own congregation, but *appointed by him*.

In his farewell letter to Bishop Timon, in alluding to the “obstinacy” of the congregation, he foreshadows the awful denunciations to which they have been subjected.

I consider them as not being Catholics at heart, and Rt. Rev. Sir, should your Episcopal ministry inspire you to declare so, *in any way*, in order that good Catholics may know who are their brethren and who are not, I leave it to your discretion, and to your holy inspirations.

So much for the former Governor of Bologna, and his tender mercies, alike tender to the brave Ugo Bassi, in whom were rekindled the ancient patriotism and genius of Italy, and to the persecuted Church of St. Louis.

How do the horrors of the fatal “Interdict” rush upon our minds as we read of this conflict between the people and the priest !

Wordsworth’s sonnet was written of another age and country, but its application is not all inappropriate to republican America :

Realms quake by turns, proud arbitress of Grace,
The Church, by mandate shadowing forth the power
She arrogates o'er Heaven's eternal door,
Closes the gates of every sacred place.
Straight from the sun and tainted air's embrace,
All sacred things are covered, cheerful morn
Grows sad as night, no seemly garb is worn,
Nor is a face allowed to meet a face
With natural smile of greeting. Bells are dumb,
Ditches are graves, funeral rites denied,
And in the churchyard he must take his bride,
Who dares be wedded. Fancies thickly come
Into the pensive heart, ill-fortified,
And comfortless despairs the soul benumb.

I cannot resist the impulse to read one additional paragraph from the same letter, expressing the sentiment of a vast body of intelligent Catholics throughout the land. He says :

It is highly time that the legislature should cast an eye of commiseration and protection upon us by the adoption of a law putting a stop to the encroachments of the bishops and Catholic clergy in general, specifying that all Church property should only be possessed by their right owners, the people who have paid for them.

I will only add, that this is but one of many similar expressions I have received from the Catholic laity of different congregations in the State. And has it come to this, that the Catholic laity of our State implore its legislature to "commiserate and protect" them from ecclesiastical outrage? Will New York refuse this protection? They have asked for bread; will she give them a stone? They have asked that she maintain the spirit of her own laws; will she allow it to be borne down by the despotic policy of a priesthood?

I said in the outset that this bill struck at no universal practice of the Church.

In France, the temporal administration of the Church is in the council of *Fabrique* (board of trustees) who are chosen by the municipal council, the latter being elected by the people in the several communes. In part of the German States, Belgium and other parts of the continent which have been under the French domination, the Catholic temporalities are administered in the same manner, by laymen. The same polity exists in Switzerland.

In France the clergy cannot accept donations by will or otherwise for any benevolent establishment, without the sanction of the government, and then to be under the control of the civil power.

Thus it will be seen that the policy which has confiscated twenty-five millions of property, belonging to two millions of American citizens, to a half hundred priests whose first allegiance is to the Papal See, is a policy

especjally reserved for republican America ! This off-shoot of Absolutism, which can flourish nowhere outside of Spain and the Papal dominions, where deceased Protestants are buried like dogs, if buried at all, where the torch of persecution is ever lighted, has been transplanted, has grown, and flourished on the soil of Freedom ! This is the political paradox of the age. It is deeply implanted, and already begins to overshadow the State. But one question is unsolved: will you now lay the legislative axe to the root of this Upas, or will you leave it to be uptorn at a future day by the storm of Revolution ? *

* See Appendix "A."

INDEPENDENCE DAY.

ORATION DELIVERED AT LOCKPORT, N. Y., JULY 4, 1856.

WHAT is the political right of individual man? What the just relations of the ruled to the ruler, involving, as they do, the social and moral duties of the State to the citizen? This is the question of the day—debated wherever civilized man is organized into societies. If there were a solvable problem in political philosophy, it would seem that this were one. Yet the world is still debating antagonistic theories; it is still engaged in the old controversy between radicalism and conservatism; between a confident democracy, jealous of all power save its own, and ancient authority, claiming the veneration, while it exhibits the decrepitude of age.

One thing is certain: A perfect commonwealth, a social and political organism, realizing all that could be desired in virtuous citizenship, in industrious and rewarded pursuit, in happy homes, in elevated humanity, where power is always just and beneficent, where weakness is helped when it falls and cannot help itself, where Justice ever sits on her throne imperial, weighing with exact scruple every outward act affecting individual rights and human happiness, giving up the wronger, whether golden or rag-plated, to the whips of the Avenger, the armed Nemesis of the State, has never existed, save in the dreams of some Harrington or Sydney.

Beautiful, indeed, are the speculations of these poet State-founders; and their creations, could they be realized,

would transform earth into Paradise. But, alas! they have fallen men, not gods or angels, on whom to test their theories.

What is the origin of government? What is the origin of kingship?

That there must be government, a supreme authority somewhere, is demonstrated by the whole history of man. Man flees from solitude to society. An ascetic is a social monster. In society man is soon driven to seek protection of property and person in a power stronger than his single arm. Society cannot exist amid distrust and anarchy, and seeks to vest authority in one of those who by their strong heads to devise, and their strong wills to enforce, seem God-commissioned to be protectors, if not rulers, of their fellow-men.

In this infant state of society, too simple to have discovered the intricate machinery which distinguishes the more enlightened governments of to-day, is to be found, if anywhere, the ruler by "right divine." For it is in the midst of anarchy and lawlessness, where weakness is timid and force is brutal; where insecurity and distrust everywhere prevail; where the idea of safety absorbs every other sentiment, that the true hero steps forth, having in his force of character the credentials of power. It is no time for the reign of stupid mediocrity; the rounds by which ambition ascends to power are not the golden ones which form in our days so easy climbing. Authority is bestowed or assumed where confidence centers.

"This man," say the masses, "can lead us, can think for us. He can overawe the proud; he can substitute a just authority for brutal force; he has within him the magnet of superiority which attracts the weaker elements floating about and seeking a support they cannot give themselves. This force of character is power. He is born

to govern. We will call him father—king. With him are protection and confidence, without him anarchy and civil war."

It is often said that kingship is an original crime, that it has ever had its origin in violence. That a system has oftentimes sprung up to make rule hereditary that has resulted in the most oppressive tyranny, is undoubtedly true. But that, irrespective of the abstract equality of natural rights, there is in some men the God-given power to rule, which by relations and events becomes in some phases of society recognized as a right, it is, when viewed in the light of human experience, hard to doubt. But are we not all wisest? Are we not all equally capacitated to govern? These are questions which may be calmly asked and answered when society is peaceful. But look at the two contrasts presented in almost every age of the world. Given, on one hand, a rude state of society, when all is violence, when there is no safety because there is no recognized authority; when power is lodged in will, and will absorbed into appetite, and appetite becomes the universal wolf ravening at pleasure; or, given a more elevated people, at a fearful crisis in their history, when the great deeps of society have been broken up by revolution, and law and policies have been wrenched out of their old anchorage by the storm. Observe the man who in either case is self-called to rule, to put bits into the mouth of license in the one instance, and to reconstruct society, to give symmetry and power to its chaotic material in the other. Then, on the other hand, given a state of general peace, when party discipline ranks all men in one of two contending factions, arming their leaders with disciplinary scourges, enabling them to keep ranks unbroken and the traditional formulas of party to be everywhere received, and superadd to these the power

of patronage derived from the genius of jobs, and the mercenary element, alike disgraceful when it sells in the market the empire of Rome to Julian, and when it paves the way to power for the smallest aspirant that ever glittered his hour in the Athenian, the Roman or the American canopy, and then contrast the Moses of the Israelites, a Mahomet of the middle ages, a Cromwell and a William of the modern heroic time, and, finally, a Washington, invested with command because he was the wisest and best; contrast these and such as these, the centers of great systems, suns which having once risen never set, but impart both light and heat to all times, with those political accidents, those mental and moral negations, the sometimes results of ballot-boxes in the midst of a proud and boastful civilization, which have proclaimed with emphasis that the wisest cannot always rule—nay, shall not; and we may be less disposed to wonder that the fiction of rule by “right divine” has so often prevailed, and that upon it has been erected systems of hereditary power so antagonistic to our more popular theories.

Whence and wherefore, then, political revolutions which lend so much interest to all ages? Had kings been just and power beneficent, the history of the world had not been written, as it has been, in blood. The tendency of power is to abuse. The oppressions incident to that abuse have led to those conflicts between authority and the people which constitute the most brilliant records of history. Conflicts which have developed while they have elevated man, and but for which there would be little in the past to cherish or in the future to hope for. We need not ask Philosophy why a nation that has a heroic age will cherish it, and adore its heroes. We feel the answer in our own hearts; it is to be read in your assembling upon

an anniversary, which as a birthday of a new nationality is unsurpassed in historic interest.

Yes, fellow-citizens, this beautiful month that finds us so pleasantly assembled, is associated with the noblest struggles and the most heroic achievements which have made memorable the conflicts of the people with power. Humanity seems to have chosen it of all the Calendar's sisterhood to evidence its own claims to a kinship with Infinite Intelligence. Were we indifferent to the history of the progress of ideas and institutions, and to the struggle of States whose noblest achievements are associated with this sacred month, it would prove in us a degeneracy which would soon invite the thraldom it would deserve.

Were I asked, what were the characteristics, the leading incentives to the political revolutions of the last three centuries, I should say they were two-fold. That the first and greatest struggle was for religious liberty, the right of man to worship God after his own conscience. In other words, modern revolution sought first to separate the Church from the State, taking issue with the latter in its claim of a right to establish uniformity of religious faith and worship.

Allow me to quote from a declaration of independence, which has attracted less attention than it ought in modern times :

All mankind knew that a prince is appointed by God to cherish his subjects, even as a shepherd to guard his sheep. When, therefore, the prince does not fulfill his duty as protector, when he oppresses his subjects, destroys their ancient liberty, treats them as slaves, he is to be considered not a prince but a tyrant. As such, the estates of the land may lawfully and reasonably depose him, and elect another in his room.

Such was the doctrine laid down by the founders of the Dutch Republic on the twenty-sixth day of July, 1581,

when after a quarter of a century of the severest conflicts for religious liberty ever waged on the bosom of this fair earth, it set the example followed two centuries afterwards by our fathers, of sundering political relations to secure the practical triumph of a principle. How far this was in advance of the most liberal sentiment in England, may be judged when it is remembered that the House of Stuart reigned nearly half a century after this declaration before the doctrine of passive obedience and the divine right of kings inspired the political action of the government.

It was to throw off the religious tyranny of the bloody Philip II., whose bigotry had turned all the Netherlands into an Aceldema to establish the dogmas and forms of worship of his own Church, that that band of noble men under the lead of William the Silent, the father of his country and the greatest of all the glorious House of Orange, uttered this truth and followed up the declaration with acts of independence which severed forever the Netherlands from the Spanish Empire.

This was the leading revolution, religious in its character, in whose conflict the blood of four generations was poured out like water, to which we are indebted, and to which England is indebted for its deliverance from the Romish doctrine that heresy is crime, and that the State is subordinate to the Church, and that all its enginery, moral and political, may justly be brought into service to crush out all dissent, and compel the immortal soul to dethrone its native spiritual sovereignty, and man himself to crawl from cradle to grave the poor slave of a self-appointed priesthood.

This religious revolution, resulting in the dismemberment of the once proud Empire of Charles V., and in the establishment of the Dutch Republic, was the first

national revolt for freedom of conscience against the iron rule of the Papal See under which the Western powers of Europe had groaned for centuries. No wonder the Pilgrim Fathers turned from the persecutions of the Stuarts to the open hospitality and the genial institutions of Holland, where, under the guidance of William of Nassau, was the utmost toleration of religious opinion, and from whence went forth to the world the first example of a State that disavowed both the policy and the right of compelling uniformity in religious doctrine and worship.

It would be interesting to trace the progress of this revolution which has resulted at last in the utmost toleration of religious opinion both in England and in this country, and in the entire separation of the Church from the State under our institutions. But time will not permit.

The other great struggle of the latter centuries carried on mainly by the Anglo-Saxon race, I should say was the struggle for the civil rights of individual man—to fix the boundaries of power, to establish, in other words, a constitutional government. As the character of this celebration does not permit me to discuss public questions, now occupying and unhappily disturbing the harmonious relations of our beloved country, I have thought I could not more appropriately occupy a portion of the time allotted to me, than by tracing those revolutions of opinion, those great epochs in the history of the English people which have brought us to the ultimate bounds of a rational liberty.

While it is easy to indicate one or two popular movements which tended to the establishment on these shores of the government we enjoy and love, it is not easy to

accurately trace the rise and early progress of the sentiment which finally sought this embodiment.

For there is scarcely a period in the history of the Anglo-Saxon race, when the sentiment of personal liberty did not glow in the popular heart. There never was an age when their necks seemed fashioned to wear the yoke of bondage. The Norman conqueror vanquished them by the power of numbers and imposed upon them the burthens of the feudal system. But no king from William the Conqueror down to the unfortunate House of the Stuarts, ever sat upon a quiet throne or swayed his sceptre over a wholly submissive people. The first great event in the history of English liberty I shall notice, is the charter of John, exacted at Runnemede in the 13th century. And here in a rude age, when commerce had scarce unfurled a sail, and there existed none of those secular and moral elements of revolution which entered so largely in the latter contests, we recognize the first principles of civil liberty as distinctly as we find them to-day, in the immortal declaration of our own independence. This charter was itself a revolution. It granted liberal franchises to cities and towns, solemnly guaranteed the right of trial by jury, declared that justice should neither be sold nor delayed, and relieved from many of the oppressive burthens of the feudal system. But these great principles were never sustained by the throne, except when overawed by superior popular force, for royalty and ecclesiastical power were constantly endeavoring to overleap their barriers.

Hence those constant conflicts between our Anglo-Saxon fathers and the throne, down to the great struggle which brought Charles to the block, and upheaved upon the ruins of monarchy the glorious protectorate of Cromwell.

The abdication of James II., and the accession of William and Mary, in 1688, from which period the mother land is accustomed to date the final settlement of the bounds of power, were not of themselves so much a revolution as the result of that which convulsed the nation during the reign of the Stuart family.

This latter revolution aided to restore the next great epoch in the history of civil freedom, and, though it left much to be matured by subsequent effort, and something to be won by subsequent struggle, planted upon a permanent basis the cardinal principles of civil liberty.

It was the only era when all the necessary elements of a great revolution seemed to meet in the same generation. The Reformation of Luther had taken firm root in the hearts of the people.

To the maintenance of the Puritan faith was directed the wonderful genius and enthusiasm of the age—a faith which defied the ingenuity of torture and smiled at the kindling flames of martyrdom.

Certain causes had been operating during the preceding century to develop in the English character energies, faculties and a spirit which claimed for it almost a higher creation, and these were the active elements of that struggle.

We observe in these struggles of the seventeenth century an element which enters largely into all revolutions in commercial States—an element begotten by the commercial spirit which had grown up within a very few years in Great Britain. It was hostility to taxation, without consent of the taxed. Previous to the discovery of the Indies, and before the development of the spirit of accumulation, we find very little earnest hostility to the systematic tax granted by feudal institutions. The barons had little to do besides afford protection to those

who bore them a feudal allegiance and to attend upon the wars of the king. Their wants were few and simple, and there was nothing to foster the spirit of cupidity. Hence when the king exacted the tributes of wardship, escuage and other taxes, it elicited little complaint, for their life, in a commercial sense, was unambitious and unenterprising. But with the discovery of the Indies and the breaking up of the baronial estates, and the consequent increase of wealth among the citizens, was called into life a new element in the individual and in the State, destined soon to become the pre-eminent and controlling spirit of the civilized world.

This was the spirit of commerce—I mean by this, trade in its broadest sense, and in its widest sphere.

James I. found this the most troublesome element in the opposition of his parliament. Almost the entire trade of London in his reign, and about the year 1620, was confined to about two hundred monopolists, who had purchased their privilege of the crown, and rewarded its favor not only with obsequious fidelity, but with munificent responses to his demands for supplies. His parliament resolved all monopolies to be a grievance, and initiated that system of trade which has rendered Great Britain the commercial colossus of the globe.

The commercial spirit soon became the pre-eminent one. Men found less pleasure in contributing to the pageantry of the throne, and a greater in the acquisition of the elements of personal power. Every acquisition increased the sense of personal independence, and lessened the sympathies between the throne and the subject. The commercial spirit so created, broke down the barriers to human intercourse and created new sympathies and stronger ties between man and his fellow.

With such spirits as a Milton, a Cromwell, a Sydney, and

a Hampden, to guide them, it was easy for a people who began to feel the sentiment of that personal freedom which commerce ever begets, to regard government as designed to foster, to develop and to protect, not to tax, oppress and enslave their subjects. Intercourse led to exchange of sentiment, to the discussion of systems, to the pride of invention; it elicited discovery, it begat revolution. It was amid all these modern elements, and upon their convulsive heavings, that Charles I. succeeded to the throne, with no other idea of its power than its absoluteness; nor of religion, than as a department of State; nor of his subjects, than as creatures to carry the burthens of majesty. Blinded, perversely so, to the revolution actively at work in the popular mind and heart, his reign was one succession of outrages upon the constitution, and the rights of people and parliament. The storm of revolution at length burst over his head, sweeping away in its course the dynasty of the Stuarts, and elevating the short-lived, but brilliant and ever-glorious commonwealth of Cromwell.

These revolutions established the principle of taxation by parliament, overthrew the doctrine of passive obedience, and opened the way for the establishment in the western world of a government recognizing and protecting all the natural and acquired rights of man. They left of the feudal system nothing but a few dim shadows which still lie across the abyss of the past and the present age, which are now recognized rather as symbols of our deliverance than as elements of harm.

The next revolutionary epoch whose spirit and result we are naturally led in this review to contemplate, is our own American revolution, which we are met this day to honor. It was during the period we have just been considering, that the Puritan Pilgrim sought his home in the Western

World, bringing with him, to scatter broadcast all over this continent, the seeds of the revolution that begat and matured him. The Pilgrims comprehended the just limitations of the civil power almost as well as did their children who enacted the drama of '76. Indeed, in the main, the latter revolution was an embodiment in a happier form of the principles struggled for almost two centuries before, than a revolution betokening any organic change in the sentiments of men. It was a revolution in which the commercial spirit was pre-eminent. A close scrutiny of the causes which led through several years, from step to step, to that rupture between the colonies and the mother country, shows us that it was the jealous spirit of trade that detected the wrongs inflicted by the home government, and which raised the bugle cry, "to arms, to arms," and which cost George III. the brightest jewel in his crown. The English government had prohibited the colonies from manufacturing iron or wool, and thus by threads of parliamentary parchment sought to bind down the sinewy arm of labor. Jealousy of colonial wealth and of the strength and pride it begets, threw every obstacle in its way that the ingenuity of ministry could devise; and finally, to crown the climax of atrocities, and to strangle in its cradle the genius of American commerce, were passed the Boston Port Bill and the Navigation Act, thus by a single blow annihilating every element of independence as a commercial people. Then it was that war was invited to sit as arbiter between a haughty mother and her injured children. But the war was then with the English government, rather than with the people. The evidence of this is read in the feeling which pervaded the masses of the mother country at the very moment these grievances were being inflicted. Virginia and the Carolinas were not more prompt in petitioning parliament to throw off the restrictions on our

commerce, than were the trading and monetary classes in every town in Great Britain. The war was one of ministry, who well knew that an independent commerce and a dependent colonial relation could not long exist together.

If called to state the political results of that revolution, we should say that it established the doctrines of *Magna Charta*, in relation to the personal rights of the citizen. It established, and for the first time in the known world—which of itself was a new epoch in the history of man—an unfettered freedom to trade and to commerce. And when building a temple of a just free trade, it laid the cornerstone upon the only foundation on which the pile could rest—the equality of all the natural rights of man. It abjured forever all the monopolies of trade, all exclusiveness of commercial privilege. It bade man everywhere a God-speed in his every honest monetary enterprise. It invited him to open the rich veins of the earth, to impress the mountain streams, the billows of the ocean, all the elements of nature, indeed, into his service. Here was the principle achieved by the revolution.

One thing further was wanting. Man might acquire, but license make a prey of his acquisitions. Labor might exhaust its ingenuity in erecting monuments of taste, of skill or of profit, and the spirit of plunder claim it as its own. Revolution had not completed its work; it had established the principle, the benefits were now to be secured. How to secure to labor its acquisitions, how to make property, labor's reward, an element of the State, and still preserve its harmony with the personal rights of the citizen, here was a task which had baffled the spirit of revolution since the world began. It had sought this end in the strong arm of despotism, but power had begotten pride, and trampled upon the rights entrusted it. It had sought it in the clemency of a limited monarchy. But if one gen-

eration had been fostered by a good king, ten had been neglected by bad ones. It had sought this protecting ægis in a splendid oligarchy, and the rights of labor had been forgotten amid the revelry of the court. It had sought it in the wild tumults of an uncultured democracy, and had wept over the wrecks strewed upon its waves of faction and anarchy.

But if we now see an experiment trusting much to human nature, how rich were the elements so confided in.

A popular heart, inspired by the religious sentiment, a refinement of sentiment and delicacy of honor, a sturdy manliness and enlarged intelligence represented in every citizen, however humble his home, which was sought in vain in the courts of Europe's kings. It had also the conservative element ever to be found in property, in homes, and firesides, and domestic altars. Stout in the faith that these were elements of safety, it launched upon their bosom the experiment of a republican government.

Revolution here sought to avoid the extremes of an arbitrary government in the hands of a few, and the as dangerous extreme of a pure democracy, which, whenever or wherever born into the world, has come pregnant with the destruction that has sooner or later overwhelmed it.

Here, then, we arrive at the great principles established by the revolution—the right of conscience, and the right of persons, the abolition of all civil hereditary castes, and of all restrictive monopolies. The purpose of a government was with the founders to afford the amplest security to all these rights. In so doing, they did not bow down in worship of idle abstractions, nor did they consent to sacrifice practical liberty for popular theories. Hence, at that early period, when the danger which has since threatened us from many sources, was afar off, they estab-

lished a government eminently conservative, and with elements which promised duration and permanence.

Although it was to be one of and for the people, they sought to place it above the caprices of an ever-changing popular sentiment. It was to be a representative government, but preserving their consistency, they still contended that taxation and representation should go together. They contended that government should hover protectingly over every citizen, should invite his enterprise, foster his genius, and shield him from wrong, but the right to control, to direct its machinery, to dispose of its revenues, they placed in hands qualified by arbitrary, and what they regarded wholesome, rules of the State. The reader of the history of the constitutional convention will not fail to discover that the right of suffrage, as an absolute right of the citizen, irrespective of his other relations to government, and above the control which the State might deem proper to assume from motives of general policy, was contended for by very few of the members of the federal convention. On the contrary, it was generally conceded that the property which carried on the machinery of government was entitled to be represented in the councils for peace and for war. Whether right or wrong in principle, is a matter of private judgment with us, their posterity; but such was the spirit of that revolution as embodied in the sentiments of the master-leaders of that age of unsurpassed wisdom and glory.

They rejected the modern doctrine of the infallibility of mere majorities. I say, the dogma that majorities can do no wrong, and which sometimes couches itself in the sounding phrase, "The voice of the people is the voice of God," was not an accepted doctrine of the revolutionary fathers. The history of the world is crowded with

the crimes of individuals, grouped together in superior numbers, and they had but to read its page to reject a theory so false and dangerous. They saw a majority in Rome nailing the head of the butchered Cicero over the very rostrum where yet lingered the spirit of his patriotism and the echoes of his eloquence.

They saw a majority ostracising an Aristides from Athens, because he was a just man, and dooming the hero of Marathon, the noblest embodiment of Grecian valor and patriotism, to the dungeon and to chains.

They heard swelling up through the shadowy aisles of eighteen centuries, and still echoing around the broken walls of the City of Fanes and Synagogues, the stormy voice of a majority crying out, "*Away with him, away with him, not this man, but Barabbas!*"

On this subject of majorities, allow me to quote from a single speech in the federal convention, of one of the ablest and purest men of that or of any other age, a man who loved, but did not flatter the people, a man who cherished his own self-respect above all earthly dignities —I mean James Madison. He says:

In all cases where a majority are united by a common interest or passion, the rights of the minority are in danger. What motives are to restrain them? A prudent regard to the maxim, that honesty is the best policy, is found by experience to be as little regarded by bodies of men as by individuals. Respect for character is always diminished in proportion to the number among whom the blame or praise is to be divided. Conscience, the only remaining tie, is known to be inadequate in individuals in large numbers; little is to be expected from it. These observations are verified by the histories of every country, ancient and modern. It is incumbent on us, then, to frame a republican system on such a scale and in such a form as will control all the evils which have been experienced.

In the spirit of this doctrine, the federal constitution has its highest value in those provisions which look to the protection of minorities. I have thus briefly traced the progress of that political revolution which, beginning far back in the early period of the Anglo-Saxon race, achieved its crowning victory in that struggle which gave independent nationality to the English Colonies.

How stupendous the results from so doubtful beginnings! On the twenty-second of March, 1775, Edmund Burke made his immortal speech in the British parliament, "Conciliation with the Colonies." And after having presented a statistical view of the increase of wealth and power of the colonies within the life of his friend, Lord Bathurst, a period of sixty-eight years, he imagines the angel of the honorable lord lifting to his infant gaze the curtain of the future to be embraced within his own life, unfolding the rising glories of his country and addressing him in the language of faithful prophecy:

Young man, there is America, which at this day serves for little more than to amuse you with stories of savage men and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life. If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth and all the fervid glow of enthusiasm to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed if he lives to see nothing that shall vary the prospect and cloud the setting of his day.

If such raptures were occasioned to the most liberal and enlightened statesmen of England over the progress

of the colonies for the sixty-eight years preceding the American Revolution, how overwhelming would have been a prophetic vision of the future of America, from the treaty of Jay to this Eightieth Anniversary of our independence as a Nation. Yet a single life compasses it. Within the sound of my voice may be more than one whose life spans this wonderful development. Of him, we may say with Burke, "fortunate man!"

Fellow-citizens, let us contemplate for a moment the instrumentality of all this growth and progress. What has given such expansive power to the moral and political forces of this government? What is it that under God has preserved us from the disasters of civil war in the midst of public heats and sectional strife? What has borne the flag of our country to the golden shores of the Western ocean, where commingle its emblematic stars with the stars of heaven as they are reflected upon the calm waters of the Pacific? What is it that has given protection to that flag, and commanded for it respect on whatever sea or in whatever breeze it floats, environing it with a moral power for protection to American property and American men stronger than that of armies and navies? Why has Civilization invoked the Genius of our government as its peculiar patron, under whose protection it has carried Christianity, free institutions, and all the sweet charities, the gentle graces and the refined humanities which characterize the best phases of a Christian age, over a vast portion of this continent, binding them all in the charmed zone of the Republic? What is that in spite of all intestine heats, conflicting interests and burning passions, has thus far kept bound together these thirty-one confederated States, securing to each the individuality of interest and power which belongs to a separate nationality, and the respect and secu-

rity which pertain to consolidated empire? What is it that permits us to be so delightfully assembled here to-day, instead of standing guard upon the outposts of our own State, protecting it against the incursions of hostile sovereignties, or engaging, it may be, in battle-conflict with brethren and kindred? The cause is to be found in that sacrifice of selfishness, that liberality of concession, that act of justice to all interests however antagonistic, itself the result of the profoundest study of every model of free government ever tested by associated man—the CONSTITUTION OF THE UNITED STATES.

There are times, fellow-citizens, when it becomes us to go to the source of our blessings and consider it well.

This Union cannot survive the sentiment of loyalty which honors and would preserve it. The offspring of the spirit of conciliation, of forbearance, and affection, it cannot exist amid hate and uncharitableness, and struggles for sectional power. Power attained under such influences is sure to be exercised—such is human nature—to fortify itself, and to crush out its enemies. The physical power of the government, all the standing armies of the world cannot preserve this Union when mutual sectional hates resolve upon its destruction.

Fellow-citizens, there are some sad omens in the present state of public affairs and public sentiment. There is a dangerous recklessness of opinion and action on every side of us provoked by excesses of speech, of action, and of legislation. The sentiment of patriotism is seemingly growing weaker, and affection and interest are being transferred from the Federal to the State organizations. This is the fatal rock on which other republics have wrecked, and which now threatens us with the same ruin. In an age so intensely commercial as ours, when all considerations for preserving old or creating

new relations cluster around interest, looking to results, how much it will cost and what it will pay, it is not easy to preserve a love of a federal government if the several parts of which it is composed are conflicting in interest, and hostile in feeling. The several State governments come nearest to the citizen of the respective States. His State educates his children, protects his property, is the source of municipal and organic relations; represents his public charities, and if it be an old State, rich and powerful, the citizen easily learns to feel that it is an empire of itself, and to look with as much jealousy upon the encroachment of sister States, and probably more, as if the federal tie did not exist. This was manifest under the confederation, when the different States were in constant collision with each other, arising from disputed rights and supposed aggressions.

The struggle everywhere among federal States is for political power, for influence and consideration in all the departments of rule, and when there are conflicting interests, the struggle will be bitter in proportion to the magnitude of the stake. The chief barrier to the formation of the federal constitution is the prime cause of all our present evils—jealousy of the ascendancy of one interest in the national administration and counsels over another interest, and that stimulated by the consciousness that no State is so pitifully poor as the State which depends for justice upon the *magnanimity* of its superiors. It was this jealousy which induced two of the three delegates of the State of New York to leave the convention which formed the constitution, because the larger States insisted upon making the representation in the senate a representation of persons instead of States, which it was justly claimed would make the whole thir-

teen entirely dependent on the will or caprice of three or four of the largest States.

Massachusetts and Virginia, until compelled to abandon the position, acted in concert for this unjust principle, for they were both numerically strong, and both, true representatives of human nature, sought to concentrate in themselves the controlling power of the government.

Says Luther Martin, a delegate to the convention from Maryland, in his letter addressed to the legislature of that State, in relation to the proceedings of the convention, while speaking of the action of the delegates from those two States:

In everything that tended to give the *largest States power* over the *smaller*, Mr. Mason could not forget he belonged to the ancient dominion, nor could Mr. Gerry forget that he represented Massachusetts; that part of the system which tended to give those States power over the others met with their *perfect approbation*.

Their interests are now relatively very different. Massachusetts now struggles to *maintain* her diminished political power, and Virginia contends as if for life to preserve undiminished the federal power of that interest which commands all her sympathies, social, pecuniary and political.

It is still the same old contest for supremacy, and that not so much to oppress others as to prevent others from oppressing them.

The free interest and the slave interest have ever since the formation of the government been struggling to prevent, each the other, from securing a political ascendency which might imperil the relative strength of their respective interests.

The conflict, both in its aggressive and defensive features, is to be traced to principles which are found in

universal man. Fifteen States of this Union find themselves deriving their political consideration and their wealth from an institution which is without the sympathies of the civilized world. They know it has within it elements of weakness and decline, both physical and political. This is to be strengthened by enlarging its sphere, and preserving its practical equality by maintaining its ratio of representation in the Senate of the United States. Sixteen States of this Union naturally are jealous of this increase of power, and of whatever shall give it a controlling ascendancy.

Where is this to end? He who holds the nations in the hollow of His hand, only knows. But great as may be the evils incident to our system, how beneficent, on the whole, has it proved to us all! What State is not prosperous? What home is not happy? What conscience is not free? When before did the sun shine upon a nation of twenty-five millions so richly enjoying all the blessings of free government, of Christian institutions, of educational privilege? A united people, we are respected, powerful. Divided, we are weak; thirty-one rival States, with elements of discord which would soon familiarize us with standing armies, with border forays, contemptible for our weakness, the easy victims of ambitious power.

Fellow-citizens, in view of a sacred past, of an unhappy present and an uncertain future, let us recur to the source of all our blessings and consider it well. Let us drink deep of the spirit of Washington; let us heed his counsels, and imitate his exalted patriotism. Let us perform a fresh lustration before the holiest altars of Country, renewing our vows of fidelity to the *Constitution* and the *Union*, resolving that,

"Unimpaired to our children, these rights shall descend,
We will live to preserve them and die to defend."

THE FEDERAL JUDICIARY.

EXTRACT FROM AN ORATION DELIVERED AT WARSAW, NEW YORK,
JULY 4, 1857.

* * * * *

THIS brings me to an element in our government, of which I would briefly speak. I mean the judiciary. Well did Mr. Webster argue in his controversy with South Carolina nullification, that by the provision of the constitution, "that it and the laws of the United States, made in pursuance thereof, shall be the supreme law of the land," and the further provision that "the judicial power shall extend to all cases arising under the constitution and laws of the United States," we had a constitution and a government. There was the basis of confidence, because there was power of ultimate decision. There could be no room for anarchy, for there was an authority supreme, emanating from the sovereign will, before whose behest passion subsides, and conflicting opinions become harmless abstractions.

I have faith in this government so long as the American people are loyal to this element of the constitution. If there be danger anywhere, it lies in this direction. The centrifugal forces in our government are to be found in the State sovereignties, whose tendency through natural jealousy, as well as love of power, is to break away from their positions in the federal orbit; ambitious to be sun and moon and constellations, in an independent system

of State sovereignty. The federal judiciary is the power of moral attraction as positive as that material attraction which binds this earth in its orbit, which must hold these States, that otherwise would rush madly from their spheres, in their just positions, in this system of political harmonies.

But, it may be said, the judiciary may err through passion or prejudice, or sympathy, especially on political questions which divide public sentiment and enlist the very fury of popular passion. To this I would say, there is no good in human institutions, which is an unmixed good. There can be no government without power, and power in the hands of fallible men ever tends to abuse, and all the constitutions, and bills of rights, and great charters of human liberty, ever won on fields of battle, or perfected in popular assemblies or parliaments, are not always able to prevent that abuse, and secure exact justice to individuals and parties. But I say no grievance, save that which springs from corruption, and which can be cured only by that terrible, but sometimes necessary remedy—revolution, is so insufferable as anarchy, as a people without law, as a government demoralized, stripped of all power to enforce its authority, the wretched victim of contending factions.

But it is sometimes said that judges lay aside the ermine to assume the defiled attire of politicians, and the decisions of the judiciary are political and unentitled to respect. Let us be just; let us to-day do justice to human nature. Under our institutions all men, learned and unlearned, private and official, have positive opinions upon every public question. Where their own direct interests are involved, those opinions are most likely to be on the side of their interests. When the question is abstract, those opinions are formed by associations, by

individual idiosyncracies, and often by that outside pressure of partisan relations which we all feel, and which none of us find it easy to resist. Men who by professional pre-eminence and political relations are summoned to the judiciary, like ourselves, have been brought up in a certain school of opinions which, upon certain questions, have moulded all their habits of thought. It is easy to see how a Virginia strict constructionist could find no constitutional power in congress to prosecute internal improvements, while it is just as easy to see how the liberal mind of a Clay, which looked upon government as the depository of a great trust for the welfare of a people, and the constitution, not as of narrow powers defined as accurately as the relations of angles in a triangle, but as an instrument of adaptedness to exigencies of an expansive energy, of a power commensurate with the wants of a great commonwealth as time should develop them, should regard acts of national beneficence to be clearly constitutional. My idea finds its illustration in the history of the New York judiciary. One of the former leading parties in this State passed a law anticipating the canal revenues. The opposing party was represented in a majority of the court of last resort, and, to the overthrow of a great policy, declared the enactment unconstitutional. The disappointed party was, at first, disposed to charge this decision to partizanship, but a thoughtful observer could recognize in the reasoning of the opponents of the law, views of constitutional powers in harmony with the political thought of their whole lives.

Our political opinions become a part of ourselves. Conservatism and radicalism are both honest and earnest elements, and become a part of our moral identities.

One other thought in this connection. Time is the corrector of even judicial errors, at least of the results of

those errors. There is such a thing as popular passion that flows like a devastating flood, and then ebbs away into the dead sea of a stagnant thought. From this element I hope little of good, but there is a reflective, sound public sentiment, the opinion of an age and a people, not spasmodic, nor passionate, but reasonable, calm, determined. Its movements are healthful as the tides of the sea, and, like them, irresistible. This sentiment will, in ways that cannot jeopardize the peace of society, incorporate itself in institutions and policies, and in every department of government work its healthful revolution. The very idea of a free government, is a government that reflects the fixed opinions and the moral sense of its people.

To this extent I am a believer in a progressive constitution. The beauty of the English constitution is its capacity to adapt itself to the progressive thought and to the constantly developing wants of the English people. Ours is a written constitution, and in its distribution of power among the several branches of the government, and in the main, in its grants of power to the legislative department, is fixed and permanent. But in its moral bearings it has an expansive energy which recognizes the law of progress and adapts itself to a degree, not to the passion, but to the matured convictions of a given era. To the law of progress and to this force of opinion, the judiciary and administration must bow. This is the law of harmony in a free State, and the basis of hopeful confidence in the future.

AGRICULTURE.

ADDRESS DELIVERED BEFORE THE ERIE COUNTY AGRICULTURAL SOCIETY,
SEPTEMBER 29, 1858.

GENTLEMEN OF THE SOCIETY:

Yesterday your president informed me that he had sought the State over for a prophet for this occasion, and found one, as he supposed, in my friend, the Hon. A. B. Dickinson, distinguished no less as a man than as a most intelligent agriculturist. But at the eleventh hour that resource had failed, and he requested me, not to fill the place of your expected orator, but to occupy a part of his time, that the form of the programme might not fail. You will expect my remarks to be of a general and desultory character.

There may be, here and there, some dreamer, who, like Rousseau, would contend that uncivilized man is his most perfect condition, but the common sense of the world agrees that he best preserves the image of his Maker, who best cultivates his nature and faculties, and that that government and that state of society are the most beneficent, where population is best developed, where labor is the most respected and best rewarded, where exists the highest standard of physical comfort. In the attainment of these results, land, labor and capital, bear most important relations. Indeed, they all are inseparable from a state of society a single degree removed from absolute barbarism. And when we contemplate their relations in the higher developments of national life, we find them

entirely inter-dependent upon each other, and most beneficent when they are among themselves most harmonious.

And here is a thought I would impress in relation to wages, which to large masses of mankind is the means of subsistence and comfort. Extreme low wages for labor, such as exists among many of the over-populated countries of Europe, and such as sometimes exists in this country, particularly the wages of poor females in our large cities, is one of the most depressing causes of social and moral degradation. And wherever capital conspires to impress the sinews and brains of men or women into its service without adequate compensation, fastening itself upon the very heart of industry, to suck out all its juices, and then throw it away as a useless thing, it abuses one of the most sacred trusts committed to man. Capital should never forget that it has moral and social obligations. It is the order of Providence, and ever will be, that money shall aggregate in the hands of the comparatively few. When that capital is under the control of a human heart which realizes the value of man as man, and his right somewhere to earn himself a home and comfort and education, and social advantage, and appreciates the reciprocal duties of labor and the money that employs it, how beneficent an agency it is. How light is the heart of labor in its service; how like a perennial fountain of living waters, a never-failing joy in the midst of any people. But that capital which knows nothing but its own selfish ambition—which says, with its prototypes of the olden time,

When will the new moon be gone, that we may sell corn? and the Sabbath, that we may set forth wheat, making the ephah small and the shekel great, and falsifying the balances by deceit? That we may buy the poor for silver and the needy for a pair of shoes; yea, and sell the refuse of the wheat?—it is in all times and places a scourge, and not a blessing.

The sentiment sometimes expressed that capital is the natural enemy of labor is a heresy and a crime. Their natural relations are those of peace, and harmony, and good will. It is only when money is oppressively exercised that they are otherwise. All the gigantic enterprises undertaken by money become the direct means of subsistence for the myriad hands it calls into service. It covers the sea with commerce-bearing keels, it rears the factory, builds the railroads, spans the ocean with the electric telegraph, and in a thousand ways opens up to industry the means of independent subsistence. Even the very luxuries in which capital is pleased to indulge, feed hundreds of thousands who would otherwise want bread. I never see laid the foundation of a costly mansion by a proprietor who can afford it, but instead of criticizing his extravagance, I think of the labor his money employs, and am more than content with his luxury, as it gives bread and home to those dependent upon their industry.

There is a relation which land sometimes bears, perfectly legitimate, but which is often the bane of agricultural life. I mean the relation of a borrower. The great passion of our farming interests has been, accumulation of more acres. To own all that adjoins him is rather a serious passion than a joke, with many a man. Then comes debt, and in its train that great absorbent of the fruits of industry, certain as the sun in its rising, and remorseless as the grave—interest. Interest is often to a good competency what slow poison is to the body. Except in new countries where land is very cheap, very productive, and its market reliable, there is very little land that can afford the relation, to a considerable extent, of a debtor to capital.

A mortgage seems to be a very harmless thing—a little piece of parchment, and a seal and an autograph, but it

eats like a canker-worm, it grapples with firm hand every square inch of the broad acres it covers, its exactions grow with the hours, and often does the proprietor, whose sweat has for years mingled with that encumbered soil, whose very soul has been wedded to it as a part of himself, see the home of his wife and children pass under the forms of law, a sacrifice upon the altar of interest, and that altar one of his own erecting.

This brings me to another reflection. It is this, that very large landed estates are not desirable, either upon public or private considerations. I do not mean speculative estates, the greatest moneyed curse that now afflicts this country. For I hesitate not to say that the policy which has always existed under our government, of permitting by indirection, if not by direction, the accumulation of large bodies of the public lands in the hands of a speculating few, who buy at a small price, and sell out to the laborer and the agriculturist, at large prices, is the greatest social wrong of which the government is guilty. The public lands, I hold, are a great trust for the labor of the country. They should be entered only as they are wanted by emigration, and sold by government only as they are demanded for legitimate purposes of tillage and settlement. But to return from this episode to my thoughts about large landed estates for purposes of cultivation.

They are not necessary for profitable tillage. The general rule is, that upon a very large farm it is superficially cultivated. Science, as related to agriculture, has demonstrated that a single acre, well cultivated, pays a better interest than two superficially so. A man with a hundred acres under the best cultivation, will often outstrip his neighbor of hundreds of acres who is ambitious of adding farm to farm by that most deceptive tie of

which I have spoken—debt. My idea of a well-tilled acre is, I am sorry to say, mostly derived from books; but science is at fault, or, owing to the facility and passion for large farms, we hardly approximate to a development of the full capacity of our cultivated lands.

It is a matter of congratulation that the State which has been most liberal in its endowment of classical institutions—which, valuable as they are, and much as they have done to advance liberal learning, have failed to meet the wants of the age in connection with the practical arts and sciences—has at length awakened to the importance of scientific agriculture, and has become the patron and founder of institutions which teach tillage as a science.

There is another consideration for moderate farms, of a public character. Wherever the land of an agricultural State is in the hands of a few, there, though the few may be rich, the tenantry and the State will be poor.

And here, allow me a single word on the subject of land tenantry. On public considerations, a tenantry in a State where liberal institutions prevail, is a very undesirable relation. Having no permanent interest in the soil, the only care of the tenant is to make the most out of the current time, with the least possible expense for general improvement. Landlordism does little by way of adornment, and generally, in this country, where it prevails, we look in vain for the tasteful farmhouse, for commodious out-houses, for the lawn, the flower garden, and all those beautiful adjuncts to rural homes which are to be found only where interest and affection prompt to this graceful culture. If you see a farm running to decay, its tenements sadly out of repair, and a general appearance of unthrift, can you not safely guess that its occupant is a tenant? The present enlightened Emperor of Russia, who seems fully devoted to the great mission of

emancipating his people from all the oppressions of ancestral law, shows his appreciation of the elevating influence of land proprietorship, by not only emancipating his million serfs, but by conferring upon them the lands they have tilled.

But to return to my thought in relation to very large landed estates, that, on public considerations, they are not desirable. The strength of a free State is its middle class. I mean by this that central strata of society which lies between the very rich and the poor serving-class. Of this middle class, the moderate landed proprietors, such as for the most part cultivate and own the lands in our northern States, are the chief representatives. The effect of very large landed estates is to expel from the State this middle class, leaving in it only the rich few, and the poor many, who, whatever name you may bestow upon them—freemen, yeomen or sovereigns—are, as a general rule, subordinated to the opinions and will of the capital they serve. I would say that, together, they constituted the upper and the nether mill-stone, and that between them the State is ground to powder.

A few days since, I saw an advertisement of the sale of a large estate in England, and one of the inducements to purchase was this: “Connected with it is a political influence over twelve hundred honest voters!” It might be unblushing impudence thus to proclaim the servility of this body of tenants, but it is the well known condition of great bodies of English tenantry.

We may talk of education, intelligence, human progress, and all the popular ideas of the nineteenth century, but much as I value them, I would give more for a well-tilled and a well-appointed farm, and that feeling of a positive stake in the institutions of society, and of personal independence which that relation creates, than for

all the metaphysics and ologies of the schools, as the basis of loyal citizenship.

I mean by this, that that State is richer in its defenses which has enlisted the interests of its citizens on the side of stability and law, than the State which, neglectful of this alliance, relies only upon educating the people into a mere theory of obedience.

That such is the natural result of very large landed estates, thereby weakening the State, I had occasion to observe in one of the northern of the southern States, when visiting a portion of it, which for richness of soil, for its high cultivation, for its boundless meadows pasturing the finest stock in the world, for luxurious homes, where art and nature vie with each other to render them attractive, for noble, generous and brave-hearted men, and for beautiful and gifted women, I doubt whether it is surpassed in the world.

But while such is the general character of the large landed proprietor, his own family is often found to comprise nearly the entire white population upon two or three thousand acres of land. The residue are slaves, who, however comfortable may be their physical condition, are *but slaves*, and add no strength to the State, but, on the contrary, are an element of weakness.

I made inquiry of a large land proprietor if this were always so, and he assured me that his own plantation, now of near three thousand acres, had once been occupied by, and had fed, at least one hundred whites. Where are they now, you ask? Capital, always ambitious of enlarging its landed possessions, when that is its line of investment, had purchased out from time to time the smaller proprietors, and these had betaken themselves to the new States and Territories. Whatever might be their individual gain, the State was the loser. She gained no

land and lost men. She gained a landed aristocracy, with all its elements of natural weakness and decay, and lost the vigor, the energy and the continually increasing power of a great middle class. The decadence of a State under such a policy is a mere question of time. For where this policy prevails, there is no social sympathy between the ownership of the land and the labor that tills it. This at once degrades labor, divides the State between the rich and poor, luxury and indolence are left free to demoralize the governing class, and the superior elements of the State whose basis must be *men*, of course decays. There can be no healthy national growth or life when labor is not both honorable and honored. An aristocracy of wealth wrung from the toil of the enslaved masses, may, for a period, afford a seeming splendor to a State, but it has no enduring basis. The primal basis of all individual growth and of all permanent strength of empire, the first source of all true development, both spiritual and material, is labor. It is the great law of our being, the normal condition of man. I think as little of his judgment as of his theology, who has settled down in the conviction that work is punishment for transgression.

“Replenish the earth and subdue it.” Such was the first command from God to created man. Before the shadows of a moral or a physical death had fallen upon the father of our race, this great mission of labor, of development, of conquest, was entrusted to our humanity. Whether in Paradise, pure as when he came forth from the hand of his Maker, or when driven from those blissful bowers to seek a home upon the bosom of the earth, man, by divine institution, was wedded to toil. He must gather and press its grape who would drink the wine of life. The world has its harmonies, but they are not re-

sponsive save to the touch of earnest, self-sacrificing activity.

Idleness is the vice of individual life, and wherever it is a national habit its tendency is to a low morality and a low civilization. There is no sphere for industry so wide and at the same time so pure in its relations as agriculture, and if life be viewed in its proper aspect, there is no pursuit so inviting. It has not the high excitement of commerce, the feverish stimulus or the sudden wealth of speculation. Neither has it their sudden reverses and their heart-crushing disappointments.

Multitudes in our day are making a great mistake, fellow-citizens. They have the false idea that happiness can be more certainly secured in our crowded cities, and in mere speculative pursuits, than in the quiet industry of the farm. The profession of living by wits, which is no more nor less than living by speculation, and by occupations which are utterly valueless to the public, counts its tens of thousands. It supplies the whole race of mere speculators, whose life is a game with fortune, and in which nine out of ten, in the long run, are losers, their lives often closing amid disappointment and beggary, and not unfrequently dishonesty and crime. The crisis of the past year, which has toppled down so many supposed fortunes and developed so much fraud and peculation in high places, has been accounted for in many ways. I would partially account for it in a word, "Haste to be rich without adequate labor." How many sons of agriculture, discontent with the quiet life and the slow acquisition of their fathers, have fled to the large cities, become ambitious of the social pageantry which money and equipage affords, have plunged into rash adventures, floundered through debt, and in that morass have been tempted to peculation and other infidelity to their trusts, and at last

awaked to ruined fortunes and to ruined fame. Even whole States are seized by this frenzy to be rich without labor. It was my fortune to visit one of our very new States not many months since, and of the scores of men I saw, I hardly saw one who had any idea of accumulating property, except upon the speculation basis. A State peculiarly favorable to agriculture, its sections and townships had been mapped into cities, and you would suppose its whole domain was to be devoted to marts of trade and harbors for commerce. As a burlesque upon the mad spirit that reigned, a member of its legislature proposed the passage of a resolution recommending each township to devote at least one-quarter section to agricultural purposes!

Baneful as is this spirit of gambling in lands, the government is largely responsible for it. The practice of allowing capital to monopolize such large bodies of choice lands begets the fever of speculation, and the country suffers from its ravages. "In the sweat of thy face shalt thou eat thy bread," is the irrevocable law under which our common humanity has lived for six thousand years, and all our vain aspirations and petty endeavors to circumvent Deity will only recoil upon our own head. There comes up from all our thronged cities a wail of hunger and of want, which will continue to fall upon the ear of humanity with ever-increasing volume and bitterness until the landless and the unemployed shall return to seek from the full bosom of their mother earth that subsistence she proffers to all her children. Hunger should be unknown in this land. We might expect her and her horrid brood, famine, social demoralization and crime, in the overcrowded populations of the old world. But, except when associated with the vice of indolence, there ought to be no place for hunger among us. If the mechanic arts, devoted to creating luxuries for the rich, or even the necessary

comforts of all, are overthronged, as they most certainly are; if clerkships are overdone, and the whole circle of salaried places are overstocked by reason of the curtailment of the business of the country; if Young America, pluming itself with lofty airs, has discovered that city or country idleness has a poor promise for bread, and a much poorer for the support of wife and children, there is open to them the primal occupation of agricultural labor. Rather than suffer from want, or from a sense of dependence on private or public bounty, let them penetrate into the western wilderness, or onto the prairie, and with cheap lands and steady toil secure independent bread. It may not bring wealth, but it will bring what is better, regular occupation and individual independence. It may remove them from the excitements of a city life, but it takes their children away from its temptations, and sends them to that school whose discipline has matured the strong men of all ages; men of heroic achievement, men of scientific research, men who make both the fulcrum and the lever which move the moral and the business world. I mean the school founded by Necessity and taught by Labor.

The State has before it a grave question to solve. How shall it save property and industry from burthensome taxation for the support of its poor?

We will hope that every improvement which dispenses with the necessity of hand-labor will be a blessing and not a curse; but such improvements sometimes create the necessity for a change of pursuits by large classes of labor.

The invention of sewing machines alone is said to have dispensed with the services of twenty thousand females who obtained their livelihood as seamstresses in the single city of New York. You ask: "How do they now live?" Alas! upon the fate of many we drop the curtain as we

pity, and almost shrink from accusing, while the patient suffering and cruel want of multitudes call aloud upon society for some modification of its systems of employments, which shall enable woman, self-dependent, to earn her support.

I have no sympathy with those who clamor about the political wrongs of woman, but she feels hunger as well as man. She feels, as do we, the chilling blasts of winter and the scorching heats of summer. The children of the widow need home and comfort; and of a general system of pursuits which excludes her from earning a comfortable support for herself and offspring in methods compatible with her purity and her delicacy, humanity demands a modification.

O! if there be a spectacle in the world which might draw pity from hearts of iron, it is the creature, man or woman, with a dependent household, begging, not for bread as charity, but for the privilege of earning it, and this poor bounty denied.

What wonder that nature, overwhelmed with her great sorrow, at times loses her poise, and seeks in suicide relief from a wretchedness which makes even the grave a friend!

Depend upon it, there is something radically wrong, which leaves so large a portion of the labor of the country for months, perhaps for years, unemployed, often throwing it upon the public for charitable support. I do not here say it is the fault of the government, in that it pursues a policy which floods the country with the manufactured articles of European industry.

But I will say, I believe that so long as its present policy prevails, a large percentage of our mechanics and artisans will be compelled to go to agricultural pursuits for subsistence. Here the promise cannot fail. For

whether the market be high or low, summer and winter, seed time and harvest, are sure to come in regular succession. And our common mother will feed from her luxuriant bosom every son and daughter that seeks her kind nursery.

But while there are some features in our time that provoke criticism, there are others which make us proud of our Era. When we consider the genius of the present age, in its connection with discovery and invention in agricultural science, and the mechanic arts, it seems almost to have re-created the civilized world.

It may safely be said, that the last century has done more by its discoveries and inventions to increase the physical comfort of the masses of men, and to give value to their labor, than have all the preceding ages of the world. And if we consider this progress as the triumph of the human understanding, our generation seems to be realizing the fable of Prometheus, and bringing down fire from the gods.

How infinite the variety of improvements in every branch of agricultural industry, which have made tillage almost pastime, compared with the severe toil of former times. Contrast for a moment the present with the former mode of harvesting a field of grain. Picture to your minds the army of slow reapers and binders, the gathering into barns, a long winter devoted to beating out of a few bushels of grain per day, the wearisome fanning mill, and then the slow process of teaming away the season's product a score or two miles to an uncertain market. Then witness, on the other hand, a field of a hundred acres by the simple agencies of modern invention, under the guidance of a few hands, harvested, and its ripe grain cleaned and made ready for the mill between the rising and the setting of a single day's sun.

But let us consider for a moment, two or three of the inventions of the age, which have made most marked impress upon it, and observe the influence upon the social as well as physical condition of society of invention in the mechanic arts.

Foremost among its early inventions, I would place Whitney's Cotton-gin. This not only added incalculable value to the property of the cotton-growing States, but by infinitely increasing the quantity of their beautiful product, and by lessening its price, it brought within the reach of every American and English home the cleanly and comfortable attire which is now as universal as taste and good sense in woman.

It is interesting to trace the effect of that improvement upon the inventive genius of the Anglo-Saxon race.

With abundance of cotton arose the necessity for improved machinery for its manufacture. And the old loom and shuttle of the early part of the century, have been superseded by the most exquisitely-wrought and nicely-adjusted machinery that the wit of man can devise.

It is no less interesting to observe the adaptedness of successive improvements to existing wants. With cotton, if not made king, at least made royal, in the commercial world, arose the necessity of increased motive power in the carrying trade by land and sea. That mighty agency, until now the wonder of the world, itself the greatest material revolutionist the world ever saw, overthrowing with radical hand the most venerable systems of labor, leveling with ruthless arm all the motive power structures of past times, and building an empire of its own, omnipotent and universal, at once arose as by some conjuring spell, with ten thousand times ten thousand invisible arms to do the labor of the world's great workshop—to transform the fleecy balls of cotton into that beautiful

fabric which has done so much for humanity—to drive the shaft into the hidden mines of earth, and to bring up her secreted treasures from their depths—to strike hands with the metal types of our alphabet, and, thus allied, scatter the newspaper, the school-book, and the sacred writings, wherever there is a mind to be enlightened, or a soul to be fed, to propel against wind and tide the fleets of the world, whether on the errands of Peace, or the more terrible missions of War.

When previous discoveries had prepared the way, and created the necessity, steam as a mechanical force appeared, making an era in the relations of labor more distinct and important than any other of modern ages.

But these fruits of inventive genius were material in their relations. They contributed infinitely to human comfort, and to national wealth, and by the agency of steam something was done to strengthen the brotherhood of nations. But still it could be said, with more truth than philanthropy could desire, if with less than when Cowper sung, that

Lands intersected by a narrow frith
Abhor each other. Mountains interpos'd,
Make enemies of nations, who had else
Like kindred drops been mingled into one.

Physically, the mountains still stand, gathering the moisture of the lakes, the rivers and the oceans, that it may fall again in genial showers to gladden and fertilize the earth.

The seas still remain to purify by their never-resting tidal waves, and to offer a highway for the traffic and intercourse of the nations, but morally, they have ceased to divide earth's great empires.

The electric telegraph, for political purposes and international relations, has leveled the one and annihilated the other.

Proximity of States having a common language and a common civilization must, in this age, be an important element in maintaining peace and good will. It is in this relation that I find the highest occasion for gratulation over that achievement, the connection of the continents by the Atlantic cable. For although the intelligence of the last two or three days casts some doubt upon the success of the present cable, I think the feasibility of the project entirely settled, and it is but a question of months, when its permanent success will equal the brilliancy of its recent promise. The commercial advantages of this link between the Continents are but as dust in the balance, compared with its influence upon the peace of the world, and especially of the two nations now brought into so intimate connection. The electric telegraph is henceforth to be the great diplomatist. International disputes between heretofore widely separated States, easily heated by passion into war, will be brought by cabinets to this simple agency, and the sea, no longer the theatre of bloody conflicts and commercial robbery, will become the medium for the instant transmission of the courteous explanation, the friendly surrender of the point disputed, and the noble purpose of a nation's justice and honor.

The invention of Morse is henceforth to be more potential with ministries than all the cunning policy of a Machiavel or a Talleyrand.

It is worthy of note that the friendly alliance between France and England, from which we hope so much of advantage to the world, dates from a time subsequent to their connection by the electric telegraph. It is a pleasing fact, also, that the first important tidings borne to us by this matchless agency through the caverns of the ocean, are tidings of peace and civilization, carried

by English and French energy to the Empire of China. How wonderful the coincidence! Simultaneously with the annihilation of all space between the great western powers, the walls of the Celestial Empire crumble to the earth, and China for the first time comes into the brotherhood of Nations.

Well may this triumph of genius be styled the most wonderful of the age. It is wonderful, and stands alone in this. It is the ultimatum; there is no beyond. There may be a perfection of its machinery, but there can be no advance in the mere transmission of thought. After a reign of 6,000 years with the everlasting mountains to defend his domain, with the illimitable seas and trackless deserts to guard his solitudes, Space has at length surrendered both trident and sceptre to the Genius of American Invention.

It is just one hundred and fifty years since Addison reproduced to the readers of *The Spectator* that pleasant conceit of Strada, which pictured the correspondence of two widely-separated lovers carried on by two sympathetic needles acting upon a dial-plate, upon which was inscribed the several letters of the alphabet. "By this means," says the humorist, "they talked together across a whole continent, and conveyed their thoughts to one another in an instant, over cities or mountains, seas or deserts."

We have lived to see this fancy become the great fact of this age. Not only are lovers to be made happy by the annihilation of space, the great desideratum of all times, but commerce, and art and science, and our cherished religion, each will have their sympathetic needle, making intelligence universal, and the individual mind almost ubiquitous.

But it is time that I bring these very desultory remarks to a close. This exhibition, now a permanent institution of the country, is one of the most pleasing features of our national life. It is festive and social, bringing together in holiday spirit the common sympathies and common pursuits of the country. It enlarges your neighborhood, makes new and strengthens old friendships, and at the same time promotes a wholesome spirit of general improvement in your agriculture and in your arts.

As agriculturists of Western New York, with what mingled pleasure and pride do you contemplate the progress in all that gives wealth and glory to a State of this now developed and beautiful region. A half century ago it was the land of hope and promise, to which the enterprise of the East was directed, and which, though it then seemed to lie far away toward the setting sun, invited the emigrant and the stranger here to erect their altars, to plant vines and fig trees for their living, yea, and find graves for their dead. Steadily rolled the tide of emigration from New England and Eastern New York, not as we have seen it in our generation, in flood-tides, by railway and steam-vessel, which transfer in a few days hundreds of thousands almost across a continent, but in the most primitive and wearisome modes of travel, over rude roads fresh cut through the thick forests, and over morasses whose miasmas were often freighted with diseases and death. To this land, to these attractive valleys of Western New York, they came full of hope, to toil, to sacrifice, to dispute possession with savage beasts and savage men. And behold the results of their labors! Thriving cities, beautiful villages, a cultivated country—the early wilderness a garden, and the thorn a rose. Most of those brave-hearted men and women now sleep the sleep that knows no waking. A few still survive, and probably some have

mingled in these festivities who felled the first trees that yielded to the axe of the pioneer. They have lived to see emigration roll a human sea almost across the continent, and a dozen States spring up, as by magic, between them and the Pacific Ocean. They have aided to place New York at the head of this confederation of States, and when they too shall have passed away, they will leave a rich legacy to the now active generation—the example and the fruits of endurance, of fortitude, of that will which knows not to be subjugated, of that character which, well disciplined and self-reliant, is everywhere an all-subduing energy and power.

RELATIONS OF AGRICULTURE.

EXTRACT FROM AN ADDRESS DELIVERED BEFORE THE CHAUTAUQUA
COUNTY AGRICULTURAL SOCIETY, SEPTEMBER 15, 1859.

* * * * *

I CONFESS English landlordism has no charms for me. It is a pillar of the State, colossal in wealth and power, and of more than Corinthian splendor in its entablatures, but its base rests upon the unduly rewarded labor of the toiling masses, who are taxed in every imaginable way to keep up the magnificence of a landed gentry. Commend me to the development in my own country of the democratic idea, as it is related to property and homesteads.

Let us consider the relative strength and power of Agriculture. Agriculture is the central pillar of our national prosperity. Necessary as are the mechanic arts and commerce to the development of the strength of a State, they hold a secondary, not a primary position. Men must first be fed. The whole world stands at the door of the farmer, ready to part with its choicest possessions for the fruit of his labor; while the farmer alone is comparatively independent of the world. Intimate as are the relations of husbandry with commerce and the arts, it is the intimacy of convenience rather than necessity. The farmer may have little civilization without them, but he has bread, and that is the prime necessity.

The great motive power to private and public enterprise in modern States is material wealth.

The nation that can get the most gold, is not it the foremost? Our private cupidity sometimes outstrips itself in this pursuit. Pike's Peak set two hundred thousand of our people to moving over the barren desert with herds and flocks, and women and children, marking the pathway of their pilgrimage with the graves of their dead who fell by the way.

A few weeks' time reveals their folly, and teaches them that substantial wealth for the mass of men, comes not, and cannot come, from the mine where a blade of grass cannot grow, nor a kernel of grain germinate, but from production.

A nation's strength is not to be determined by its supply of precious metals. When Croesus exhibited to Solon his gold and silver, Solon said to him that when another nation should come that had better iron than he, it would be master of all his wealth. I suppose his idea was, that iron furnished in that age of conflict the implements of war, and could better equip armies for purposes of conquest. But it involved as well a moral truth, which will stand while the world stands. The nation that has an over-abundance of the precious metals will be luxurious and effeminate, neglectful of agriculture, too proud to engage in mechanic arts, while the people who are compelled to be producers will be enriched by traffic with their luxurious neighbors, and made hardy and vigorous by toil. Gold debauches and enfeebles, iron purifies and invigorates.

In modern times, producing nations have become rich, while gold-hunting nations have become poor. England and Spain illustrate this position. The former country in the fifteenth and sixteenth centuries, was less formidable as a power, and had less resources at command, than the peninsular State. Yet having no source of wealth except

by production, industry and commerce, to these she directed her energies, and she is, to-day, perhaps, the richest country in the world.

On the other hand, Spain, after the Western conquests, had almost limitless treasures in gold and silver, yet when in the height of her glory, in the most brilliant epoch of her literature, and art, and discovery, when filling her cathedrals, and her royal exchange, and her ecclesiastical houses, with the spoils of conquered continents, relying, as she did, on the precious metals for her wealth, and neglecting the enduring and ever-increasing interests of agriculture, rapidly hastened into decline, and to-day is the scoff and melancholy pity of the world.

Even commercial prosperity seems subject to laws less stable than agricultural. Many once rich commercial countries have been unable to maintain their position, and nothing is more certain than that but few great commercial cities can long retain their pre-eminence. Holland, two or three centuries ago a leading commercial State, steadily declined as the Western powers of Europe progressed.

In the middle ages, and down to the fifteenth century, seventy commercial towns of Germany and Prussia formed themselves into a commercial association known as the Henseatic League. For two hundred years it was almost omnipotent, building up cities of untold wealth, with a monetary sway over Central Europe almost imperial. Few of those cities have now so much as a third-rate position as commercial towns, and their sway has been transferred to other centers. Trade is subject to laws which cannot be controlled. A war or a peace, some new channel of communication, or the discovery and settlement of new regions, will often divert the course of trade in new and unexpected directions. The old centers

languish, and Paris, London, Liverpool and New York, for the time become the controlling centers of commercial empire. We have seen the same principle at work in our infant country. Newport once promised to be the leading Atlantic city. It is now a watering-place where fashion, not commerce, reigns. With us, commercial cities, except two or three on the Atlantic, seem to follow emigration. This is the secret of the rapid growth of fortunes in real estate in Western cities, and their often about as rapid decline. They fancy they have only to hold open their lap and the world will always fill it. Some morning they wake up and find their channel dry. Business has found a new vein. To tell how long it will keep it requires good guessing.

The prosperity of agriculture is dependent upon favoring circumstances, but the great grain centers of the world seem not to change so easily as do the commercial. The valley of the Nile has been one of the world's granaries since the Pharaohs. The valley of the Mississippi is the Nile of the New World, and ever will be. The world finds out where it can be fed, and as the children of Israel turned to Egypt in famine, so will the non-producing sections of our own country and European States in their times of scarcity, always call upon the great producing regions for bread, "that they may live and not die."

Let us look for a moment at the comparative importance of our agriculture. It pays three-fourths of our taxes, represents five-sixths of the capital of the country, employs nearly fifty per cent. of its industry, and produces nearly twenty hundred millions of dollars per annum, in value. The single item of our native Indian corn was estimated by the census of 1850 at three hundred million dollars.

This demonstrates that production is the source of our national wealth, and that agriculture is the central pillar of the State. It is the great exchequer of the country, "on which it must have a perpetual credit, or it perishes irretrievably." It presents the strongest claims to the protection and patronage of the government, so far as they may be justly exercised in its behalf.

BUFFALO GENERAL HOSPITAL.

ADDRESS DELIVERED AT THE DEDICATORY EXERCISES,
JUNE 24, 1858.

BEAUTIFUL are the relations of Commerce and of the State to Humanity, when they are allied with a Christian civilization. In her activity amid the marts of the world, in her eager pursuit of material wealth on every continent and sea, braving all dangers, superior to all difficulties, and gathering the riches of the earth into her garners, we admire Commerce as an energy and a power. But when she lays aside her character as a money-hunter, and takes her place among the sweet charities which beautify and ennable society—when she brings liberally of her richest fruits gathered from the field of the world, into the Temple of Humanity, we love her as the ally of our pure faith and the handmaid of civilization.

When we ascend from a mere element of material progress to the State itself, whose institutions and polity are organized to protect labor and enterprise, and to afford security to its citizenship in remotest lands and on the most far-off seas, we find the most honorable exponents of its spirit in its public charities.

New York is proud, and has a right to be so, of her greatness, of the results of that wise policy which at an early day struck boldly for the position of empire in connection with the trade and commerce of the lakes and the Upper Mississippi; but by far her greatest glory, by far the richest jewels in her crown, are the charitable institutions, her hospitals and asylums, now dotting over the

whole State, reaching every grade of physical suffering, reflecting, as they do, the noblest and most unselfish sentiments of our human nature.

Citizens of Buffalo, these thoughts are suggested by the associations of this day and occasion. Our city has long rejoiced in the title, "Queen of the Lakes;" not more because she sits like a queen arrayed in beauty at the foot of these inland seas, than because of her enterprise and pre-eminence, her wealth and her power, as a commercial town. In past days you have rejoiced in her material progress. You now look with conscious pride at her enlarged harbors, her increasing docks, her public architecture, and all the indicia of growing strength and position.

But to-day we are permitted to commune with higher sentiments, and are met, under the favoring providence of Him who is the source of all mercy, to dedicate an offering to humanity. May we not hope that an enterprise so worthily begun shall be the initiative of our higher devotion to the social obligations of our wealth and position.

The history of the Buffalo General Hospital, in brief, is this: Our rapidly-increasing commerce and growing city created the necessity for greater facilities for charitable, medical and surgical relief to indigent persons, who, while pursuing their avocations by land or water, should be struck down by casualties or disease. Although for some time there had been one or two institutions which afforded considerable relief, they were altogether inadequate to the public wants, and were not upon a basis so general as the tone of the public feeling demanded.

A few of our citizens appreciating the exigency, organized, under the general act of the State incorporating such institutions, the association for a general hospital, on the twenty-first of November, 1855. In 1856, subscriptions

from citizens were solicited, and in the winter of 1857 the State appropriated ten thousand dollars to the institution. The trustees have realized from local subscriptions about twenty thousand dollars, which, together with the State appropriation, has enabled the association to place the hospital on its present basis. In June, 1857, was purchased this commanding and healthy site. It has a front of 361 feet on High street, a depth of 282 feet, with a front on Goodrich street of 450 feet. The west wing of the general plan of the hospital is now completed, having four wards of seventy by twenty-seven feet, and capable of accommodating one hundred inmates. An additional building for the laundry and engine for heating the hospital buildings and supplying them with water, has also been erected. So far as the work has progressed it is complete, and is now ready for the reception of patients. The arduous duties of the trustees have been faithfully performed, and they deserve our hearty thanks and appreciation. Buffalo has now the embryo of a commodious and adequate public hospital. Its doors are thrown open, wide open, to the poor of every name and every creed. So long as your canvas whitens yonder waters, so long as from yonder solemn temples shall rise to heaven the songs of praise and adoration, so long as yonder thronged avenues shall echo the tread of human footsteps, so long may they remain open, by your and your children's bounty "on golden hinges moving," inviting to their healing charities the sons of want and sorrow, recognizing no law of special grace save that "touch of nature which makes the whole world kin." To a Humanity so universal, and which is beautiful only as it reflects the mercy of Him whom all the sons of Adam call Father, we dedicate this edifice and these grounds, their

present and their future. And may God himself bless the offering.

Fellow-citizens, it is fitting that we here recognize our social obligations to the Christian religion. With Christianity came a new social element into the world. Man bore to his fellow the same duties and relations before the annunciation of good tidings to the Shepherds of Bethlehem, as now; but the coarser civilization of the pagan ages had failed to recognize them. Rome was characterized by strength and energy. She was a mighty force, but rather material than spiritual. Greece was distinguished for grace and elegance, and her institutions in her better days realized the ideal of all that is commanding in genius and beautiful in art. But humanity, as developed by the Great Teacher, was almost unknown by those pagan powers. "I am a man, and I deem all that is allied to humanity kindred to myself," was the sentiment of a Latin poet; but it was never embodied in ancient institutions, nor infused into the spirit of ancient society.

The Saviour of men was the first to give a higher tone to social laws and sympathies. When the incarnate God made our nature more glorious by assuming its form, when He gave dignity to its meanest types, by healing them of the most loathsome diseases; when, leaving the glories which would seduce Him from His mission, to find the hungry that He might feed them, and the naked that He might clothe them; when He taught His disciples that to give a cup of cold water to one of the least of the children of men was an act of mercy to God himself; when He left as a legacy the poor of the world as objects of perpetual care; and, above all, when He taught by precept and parable and example the second great command, that man "should love his neighbor as himself,"

He made the sentiment of humanity one of the strongest forces of individual and social life. It has recast the whole spirit of society and softened its severest features. It has given a grace even to the rough visage of war; and if it has not made Commerce less aggressive, it has rendered her socially attractive by wedding her to public and private benevolence.

We find ourselves cast upon a period when charity, not prodigal and inconsiderate, but judicious and discriminating, is not only a social but a religious obligation. He who does not recognize this truth, whatever may be his creed, panoplied though he be all over with synodical orthodoxy, knows nothing of the spirit of the Christian religion. That religion cannot be dissevered from the duties imposed by a common humanity. The self-righteous priest, arrayed in his phylacteries; and on his way, perhaps, to the gorgeous worship of the synagogue, when he chanced upon the traveler stripped and wounded by the thieves, passed by on the other side, leaving him half dead by the way. The despised Samaritan, whose touch that priest would have deemed pollution, and who probably would hardly have presumed to lift so much as his eyes to heaven, when he saw the poor wayfarer, "had compassion on him, and went to him, and bound up his wounds, pouring in oil and wine, and set him on his own beast, and brought him to an inn, and took care of him. And on the morrow, when he departed, he took out two pence, and gave them to the host, and said unto him, Take care of him; and whatsoever thou spendest more, when I come again I will repay thee." O! what a sublime lesson has come down to us through eighteen centuries, proclaiming in tones sweet as charity and audible as the voice of God, that the wounded and diseased, the poor and deserted whom Providence may cast in our way, are not strangers and

aliens, but "neighbors!" Shall we forget the command, universal as our race and enduring as time, which follows this touching narrative, the example of the "good Samaritan" delineated by the Master, "Go and do thou likewise?" "Go and do thou likewise" was then added a fixed star among the moral constellations; and wherever its soft light falls upon the children of sorrow, it evokes from the harp of human sympathies tones responsive to the melody of heaven.

Citizens of Buffalo, this command rests with peculiar force upon us. Our location at the foot of the lakes, and upon the border of this river which divides us from another nationality, naturally brings to us many who, stricken by disease, have need of a hospital home. Yours is a commercial city, and your business, in its manual labor, is severe and perilous. You owe to that labor, when too poor to provide for itself, the nursery and medical and surgical care of a hospital. "To whom much is given, of them shall much be required." Consider for a moment your obligations. With a history of less than thirty-five years since the completion of the great artery which connects the Atlantic with the lakes, Buffalo has grown from insignificance to power, from comparative poverty to affluence. Commerce found you poor, and has made you rich. She found your lakes a solitude, and has covered them with a fleet which counts its tonnage by hundreds of thousands, and its freight by hundreds of millions. She has built for many of you palatial homes, and surrounded you by every luxury which the senses can demand, and every elegance which taste and art can contribute. Let no man say he is not identified directly with Commerce, but is in the exchange, or the manufactory, or in merchandise, or in some of the great corporations where capital is aggregated, and therefore he owes her nothing. Commerce has

created the necessity for, and is interwoven with, all these collateral pursuits. Commerce is to all your business what is the heart to the human body, the fountain of life. When that business heart beats languidly, your every pulse throbs feebly and in exact unison. Should it ever cease to beat at all, business stagnation and death will everywhere reign, and *Ilium fuit* be inscribed on all of value in your docks and warehouses, your realty and your monetary institutions. Both gratitude and an enlightened selfishness demand of us the completion of this hospital so worthily begun.

The poor sailor, who for little wages endures the toil and the peril of these waters, whose very calling makes him alike generous and prodigal, who, while you are sitting secure in your counting-rooms, reckoning the gains of traffic, or the increase of capital, or are luxuriating in your beautiful homes, is often high on the giddy mast, wrestling with the tempest and combating death in its most horrible forms, exerting every energy of mind and body to save your property from wreck and bring it secure to harbor—he, I say, has a right to ask you to furnish him a hospital to which he may take his body enfeebled and broken in your employ, for gratuitous attendance; which, when restored to health and vigor, he re-devotes to the same service and the same perils.

The poor mechanic, too, and the humblest laborer, who spend the energies of their lives in building your public and private edifices, and whom the casualties incident to such service often disable and render necessary the nicest skill of the surgeon, have a right to expect a provision such as this institution contemplates.

You are not independent of these classes, but are dependent upon their labor as are they upon your capital. You are inter-dependent upon each other, and the mutu-

TO
ADDRESSSES AND MISCELLANIES.

ality of your relations but increases your obligations. Then, again, we have at times the stranger at our gates. Far from home and friends he is stricken down by disease. The soft hand of affection is not here to cool that fevered brow, and the gentle voice of sympathy and love is not here to dispel the sense of loneliness more oppressive even than disease or death. He asks not for charity, but for that attendance and kind nursery which the sentiment of Christianity, when embodied in an institution like this, can alone afford him. You cannot receive him at your private dwellings—and there is no place for him amid the turmoil which forms so necessary a part of the life of an inn—and where shall the stranger go? A hospital signifies hospitality—and here, breathing the pure air that comes up from these health-inspiring waters, amid the quiet and seclusion of this charming retreat, experiencing the kind nursery of those gentle-hearted persons, and especially of those females whose noblest office it is to visit the sick and the afflicted, and whose whole sex has been ennobled by a Florence Nightingale, faithfully attended by the skillful and beloved physician whose profession has expanded and made active his humanities, and ministered to, if he desire, by those spiritual advisers of our most holy religion with whom from education and association he has sympathies, at length your invalid guest begins to feel the currents of life flow with health and vigor, and, as often as otherwise, relieving you of every pecuniary burthen on his account, takes his grateful adieu of your institution and returns to the bosom of his far-away home. Of how much greater value than all the equipage and splendor that ever ministered to human pride or provoked the envy of human folly, are the emotions and the affections developed by a single history like this! How does the sentiment

that creates the occasion beautify the whole spirit of society. How does it cast into eclipse all the deeds of knight-errantry vaunted in legend or song! Let us ever remember that while

"It is a little thing to speak a phrase
Of common comfort, which by daily use
Has almost lost its sense, yet on the ear
Of him who thought to die unmourned, 't will fall
Like choicest music."

There is a moral advantage not to be forgotten accruing to those who cultivate these charitable feelings. They are among the purest of our nature, they attest more than do all our other attributes our creation in the image of the Godhead. We best preserve that image when we live most in harmony with those laws of benevolence which, issuing from His throne, bind the moral universe together. Charity, like mercy, is a "quality not strained ;

—————it is twice blessed ;
It blesseth him that gives, and him that takes."

Paradoxical as it may seem, God has so organized the moral world that, in that kingdom, we become rich by bestowing, we gather by dispensing, while by withholding we are impoverished, and are made poor as winter by selfish accumulations.

Whatever is worthily bestowed in these offices of charity returns to the donor fifty and a hundred fold, in refined humanities and pure social feelings, and in that greatest of all luxuries in which the soul can delight, the luxury of doing good.

This hospital and its kindred institutions in our midst, appeal to every motive which can influence your wealth to place them upon a permanent basis of the largest usefulness. It appeals even to your amiable weakness. The

instinct of our nature craves some remembrance when the grave shall have closed over us. There are none so "to dumb forgetfulness a prey," to whom the consciousness that some memorial shall survive them, is not more than pleasing. If that instinct can be gratified and that gratification be associated with a gentle charity, which shall for all generations occasion a grateful remembrance of the giver, who would not seek so easy and beautiful an immortality? By so associating yourselves with humanity there is a sense in which, even here, you can never die.

Personated in your charity, you become a felt presence wherever your bounty binds up a wounded heart or relieves a single sorrow. Your hand, until the sun shall cease his shining, can hold the cup of "cool refreshment" within these walls to fevered lips, ever bedewed with tears of gratitude, and your tongue utter words of sympathy and hope which shall associate your name, until time shall be no more, with the tenderest recollections of life ebbing away. There is a practical consideration that may be named in this connection. What is given to these permanent institutions is secure against waste or decay. You may leave a million to each of your children to be by them perhaps prudently husbanded, but with the certain knowledge that under our polity the third, if not the second, generation after them will find nothing in their hands of all your possessions. You men of the last generation who aided in laying the foundations of this city, who pioneered into this then wilderness of the West, came poor. The children of Necessity, and nursed at her rugged breast, you grew strong by the discipline of Adversity. It is a school from which, and properly, your affections would spare your children; but it is by no means certain that the generation which is born at the top of the wheel of fortune has any real advantage over

its soon successor which shall be born at the bottom. It is at best a mere question of equipage, and that but for a few days, of a large house or a small one, of frescoed walls or the ruder ceilings which protected your own infancy and childhood and witnessed your purest and happiest days, of dangerous and troublesome affluence, or of safe dependence upon labor. There is both advantage and virtue in being one's own executor. To "sleep in blessings" after death is well, but to live in blessings is better. It is not so pure a charity to dispense by executor what we can no longer hold as when we become almoners of our own bounty. A few years since deceased in the city of New York the possessor of the most colossal fortune ever achieved on this continent. By direction of his will his executors erected and furnished a public library upon a scale of magnificence worthy of the metropolis and its merchant prince. But Mr. Astor never realized the pleasure of witnessing its progress, nor the still greater pleasure, the luxury of his own beneficence and the gratitude of his contemporaries.

In the streets of the same city may be seen to-day an unpretending and gentle-hearted but an earnest and able man, who has risen from poverty to affluence in commercial relations, who, appreciating his obligations to society, with his own hand laid the foundation of an institute which he has freely devoted to science and art, at a cost of nearly a half million dollars. He has not only moulded and perfected it to his own mind, and secured his bounty against contingent waste and destruction by bringing his own sagacity to its management, but the plaudits of the remotest posterity are anticipated to Peter Cooper in contemporary gratitude.

In another and more remote city, McDonough left an estate estimated at six million dollars. The cities of

New Orleans and Baltimore were his principal legatees. An almost endless litigation, and depreciation consequent either upon the mismanagement of trustees or their inability to exercise any judgment against the inflexible provisions of a will, have so reduced this once vast estate that it is likely to prove barren of any substantial advantage. These examples are full of instruction.

When two or three days since I was invited to perform this office, I was admonished that but a few minutes could be spared to my part of the exercises, and, I hasten to two or three suggestions of a practical character in conclusion.

In the first place, I would remark that a hospital is not liable to any of the objections which are sometimes made to institutions for feeding and clothing the poor. While I recognize the obligation of society to make a just provision for its destitute, I know it should be made with great discretion. I know it should not be too easily nor too liberally given, lest charity become a mere bounty to indolence and vice. While its inmates are generally of the poorer classes, their cases are carefully scrutinized and it is easy to prevent abuse. Mere indolence and improvidence can here find no place.

A hospital of the character of this we to-day dedicate has its relations to medical science. You already have a medical college of honorable distinction at which are annually graduated a large class of students who go out into the world as physicians and surgeons. And with many members of that profession in our city are private students enjoying every advantage which can be derived from personal and professional worth. But clinical instruction, that is, by the bed-side of the patient, is conceded to be far superior to that derived from books or the

lecture-room. In the different wards of a large city hospital will be found various diseases in all their stages, and surgical cases, not only the simple and ordinary, but often of the most complex and delicate character. This institution will be dependent upon the medical profession of the city for visitation, and will open up to their students facilities for instruction which will qualify them for real usefulness in the world, to become positive, because professionally intelligent, friends of their race.

And in this connection, it will not be deemed indelicate or invidious to say, that if this hospital, under your patronage, shall grow to its proposed dimensions, and as your city progresses in population be filled with the diseased and disabled poor, it can never outgrow either the science or the self-sacrificing charity of the medical profession of Buffalo. I think I know something of the spirit which pervades that profession, and I feel that I can say that while they expect, and are entitled to, adequate compensation for services rendered those able to reward them, its heart, its hand, its science, are ever ready to answer the calls of the suffering poor.

Citizens of Buffalo, the offering we this day dedicate, is yours to cherish and to place upon an enduring basis. It is one of the noblest that can be brought into the temple of Humanity. That temple is as wide as the heavens, and receives within its portals every child of affliction and sorrow. That charity which came to earth an angel-attendant upon the babe of Bethlehem, knows no distinction of caste, complexion or nationality. She asks not at what altar the sufferer worships, and before she relieves does not stop to inquire whether he even be a worshiper at all. And if she chance to find him without a faith and without a God, poor in soul as he is

wretched in body, she delights, so far as comports with delicacy and propriety, in the double office of ministering to his temporal necessities, while with gentle guidance she points the wanderer "to brighter worlds, and leads the way." I seem to hear a voice coming up through the vale of the centuries, clear and resonant, "GO AND DO THOU LIKEWISE."

BUFFALO STATE INSANE ASYLUM.

ORATION DELIVERED AT THE LAYING OF THE CORNER-STONE,
SEPTEMBER 18, 1872.

Gov. HOFFMAN, MR. PRESIDENT, LADIES AND GENTLEMEN:

The State has highly distinguished us. At an early day it selected Buffalo for a terminal point of its chief commercial enterprise, and so gave the principal impulse towards those results which constitute our local strength. It has recently founded among us an institution which promises to be an educator of the public taste, a support of public virtue, and a wholesome check upon any tendency of our ambition or our thought to the sensual and material. To-day the State presents to us another side of its broad nature. It invites us to the grateful office of laying the corner-stone of an edifice which through all coming generations shall bring solace and cheer, and often restoration, to thousands of our fellow-beings afflicted with the saddest calamity that can befall our nature. For what is man, infinite though he be in faculties, "in action like an angel, in apprehension like a god," when the divine image charactered in the face, and mirrored in the soul, is shattered by insanity?

Let us assure to the State that co-operation which it has a right to expect of us as citizens, and accept full loyally the unofficial local guardianship of this trust. And let us especially pledge to it, and to each other, that in all legitimate ways, so far as in us lies, we will protect this charity from an abuse which sometimes threatens every State institution.

A curse of the times is the tendency to force every public interest into the pool of partisan politics. The State charities belong pre-eminently to the people. They are too catholic in their beneficence, too elevated in their moral purpose, to justify any attempt from any quarter to make the trusts connected with them the rewards of partisanship. No governor appointing, no senate confirming, no legislature creating, no board of managers having an appointing power to any place of authority or confidence, should ever ask, or think, or care what are the party relations of a candidate for appointment in a charitable institution, except it be to prevent the very evil I deprecate. In God's name, let us have one little sacred spot in the commonwealth where the politician, in character as such, may not enter. Let him look upon its walls of exclusion more hopelessly than ever banished Peri gazed upon the barred gates of Paradise. And let that spot be the domain of our public charities.

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This occasion is a vindication of our age from a criticism sometimes made, and always unjust, because indiscriminating. Our century has had an immense stimulus, through its discoveries and inventions, to the accumulation of wealth. This has led us sometimes to say that money-hunting is its sole and universal occupation. This is a partial view. The Nineteenth Century, distinguished as it has been by its commercial and industrial enterprises, and by its passion for luxury and social display, has done more for the elevation of the masses, more for the amelioration of every type of human suffering, than have all preceding ages. Christianity has never been so crystallized in institutions which recognize the brotherhood of our race, and discharge the duties that relation imposes, as during this sharply-criticised Nineteenth Century. Its humanity is broader, its science more exact, its charity

more catholic and better regulated by the laws of a sound political economy. I am not of those who deny great virtues to the Middle Ages. While they were ages of intense ecclesiasticism, I know that the power of the Christian Church was largely and potentially exercised to protect the weak against the strong, and that its monasteries were often the homes of a beautiful piety, and the dispensers of a charity sweet as the breath of heaven. But those ages suffered from the bigotries which always attend upon popular ignorance. They had little science, and humanity had no standing-place when antagonized by their superstitions. In nothing does this more appear than in their treatment of the insane. This class of unfortunates, as a rule, were regarded as persons given over by God to Satan, and were subjected to cruel tortures and often to ignominious death. If the type of disease took the form of pious ecstacy, the popular superstition invested its victims with supernatural powers, and crowned them with the honors of sainthood. Later ages, ages which have created new eras in literature and art, hardly improved on the Dark Ages in their appreciation of the nature and causes of insanity, or in their treatment of its victims.

Insanity was hardly studied at all from the psychological side until late in the eighteenth century, and all the study of the nervous system prior to about the beginning of the present century led to few valuable results in the treatment of the insane. The first European departure of which I find any record from the old system of dungeons and chains and savage keepers, seemed to have its inspiration in the new humanitarian thought of the last years of the eighteenth century, as much as in an advanced scientific knowledge. It was in the midst of the French Revolution, when the French mind was burn-

ing hot with its passionate thought over the rights and duties of man, that Pinel removed their chains from all the inmates of the Insane Retreat of Paris. The horrors of the Bastile and Bicetre went down together before the storm-blast of the New Era. Yet, strange to say, it was many years later before English sensibility or science grasped the new idea. Howard had initiated the movement which has modified the whole prison system of England and the Continent, long before the system of brutality in the treatment of the insane was modified by English humanity and science. Of the celebrated York Asylum, the *British Foreign and Medical Review* says that "it was for the period of thirty-seven years, from 1777 to 1814, the scene of every abuse that rapacity and inhumanity could crowd into a single institution." The details I have myself read in parliamentary reports on the condition of the insane, as a rule, in English hospitals as late as 1815, are as shocking and revolting as a story of the middle passage of a slave-ship. Imagine the absence of every element of kindness, and the presence of every indecency and cruelty, and we may faintly grasp the situation. Religion and science at length struck hands over the monstrous wickedness of the old system, and began the long-needed revolution. I say religion, for what is humanity but that love which, as a golden chain, binds the heart of man to the heart of God; and what is that love but religion?

Contemporaneous with the abolition of the brutal penal codes of England, and with almost every public and private movement to humanize her labor system, began the efforts of Tuke and Conolly, and others eminent as physicians and philanthropists, to banish from English insane asylums the whole horrible troop of chains and scourgings and dungeons and cruel keepers, which for

ages had been associated with the treatment of this class of unfortunates in England. In the York Retreat, under Tuke, at the Lincoln Asylum, at Hanwell, under Conolly, and in the new asylums founded by the better inspirations of science and humanity, were substituted for the old methods, humane and learned medical attendance, and every soothing influence that can give repose to minds o'erthrown. Music, recreating grounds and gardens, cheerful and wholesome occupation, gentle nursing, and authority considerate and kind, however absolute. Freedom of person was substituted for the restraints which were before universal. In short, moral and social methods of treatment began to supersede the system of cruelty and force. Yet this reform had slow progress. As late as 1850, parliamentary reports reveal the existence of many of the old abuses in some of the older institutions.

Insanity is now conceded to be a curable disease in about seventy per cent. of the cases properly treated in its first stages. Once taken out of the domain of superstition, where it so long dwelt with diabolism and witchcraft, science was prepared to study it as any other type of disease, and to arrive at its relations and character by investigation, the only method by which man can learn anything with exactness of phenomena relating to the material universe, or to the complex human body. Science made an immense advance when it arrived at the fact that the mind itself—that divine spark struck out of Infinite Life—is incapable of disease; that the disease is in the brain, the medium through which the will expresses its volitions and the mind its thought. It is the result of morbid relations in the material organization. This ascertained, science, in investigating the nature and remedies of insanity, directs its attention to the brain

and nervous system. How wide is the field here presented for scientific research. Important as have been the discoveries in the domain of the nervous system, and much as those discoveries have led to the amelioration of human suffering, whole continents seem yet *terrae incognitae*.

Must this ever be, or will some future discoverer lay hold of the secret of nature in this mysterious realm, as the great electrician seized upon the subtle principle of the atmosphere, making it the swift messenger of our thoughts around the world? They who have suffered from the diseases of those myriad, delicate, invisible signal-stations of the human body we call nerves, who have carried their life for years as they who scarce have life at all, will pray for his coming. Crowns and statues await the new Morse.

My brief review shows that public sentiment on our general subject has been a slow growth. I freely recognize our obligations to eminent members of the medical profession in the Old World and the New, for their labors in this field, but there are one or two unprofessional names so identified with the advanced sentiment in the United States, that they should not be forgotten on this occasion.

Shall I begin and end with the name of a woman? Where else should I begin, if sacrificing philanthropy in our day, in any department of humane endeavors, were my theme? It is strictly true, that a woman inaugurated the revolution, which, so far as seems possible, has humanized war. Florence Nightingale, by the valor of goodness, eclipsed all the martial heroisms of the Crimea. Not a campaign has been fought in Europe or America, since the fall of Sebastopol, where the spirit of that great-

hearted English woman has not planted the standard of humanity amid the smoke and carnage of battle.

But

“ —— peace hath her victories
No less renowned than war.”

I do not know in the history of modern philanthropy a higher illustration of the power in society of true womanhood than is afforded in the career of Miss Dix, of Massachusetts.

This gentle-hearted woman, touched by the needs and sufferings of the insane, resolved to appeal to the people and governments of both hemispheres in their behalf. Invested with no authority save that which belongs to a self-renouncing nature, she awakened a new and profound interest in almost every State of our Union, in the federal congress and in European cabinets, in behalf of the insane. She sought a mission of gracious ministry to others, and found it at her door. So true is it that while

“ The primal duties shine aloft, like stars,
The charities that heal and soothe and bless,
Are scattered at the feet of man, like flowers.”

More than one asylum for the insane has been erected through her persuasion. Congress, yielding to her never-flagging importunity, passed an act appropriating ten million acres of the public domain for hospital purposes for the insane. This beneficent measure received the presidential veto on the ground of unconstitutionality. Nowadays congress votes fifty million acres to a single private corporation having no other object—I do not say it is not an adequate one—than pecuniary gain. And such an act, at almost every session, passes through, or over, or under the constitution, like a conquering army with banners and drum-beat.

Cognate to our theme is idiocy, and I deem it a matter of just pride that our State was the first to act upon the new idea that idiocy is not an impenetrable darkness, and that its pitiable victims may, by kindness and patient instruction, be led, at least into the starlight of human intelligence.

And here I am again impressed with a sense of the vast service rendered the world by individual men and women, who, solitary and alone, "circumnavigate the globe of charity."

It is about twenty-four years since Dr. Henry W. Wilbur, then of Barre, Massachusetts, entered upon the pioneer ship of the then forlorn hope, in this country, of educating idiots, "sustained in the good work," to use the words of Dr. Seguin, "against the forebodings and ridicule of friends and neighbors, only by the bravery of his wife."

Dr. Wilbur is now superintendent of the New York State Asylum for Idiots, at Syracuse, the first in the world built expressly for that class, and deeply interesting in its character and purposes to every philanthropic mind.

"The world moves," but how slow! The psychological side of the Science of Medicine has been strangely neglected in our medical colleges. It was a surprise to me that the distinguished president of the New York State Medical Society, and now president of this institution, could, in his inaugural address in 1870, say that the teaching of psychology in medical colleges, as a part of the course, was "a step yet to be taken." If any diseases should be studied clinically, they are the most subtle of all, the diseases of the brain. Fifty years ago, Esquirol, in Paris, so instructed his pupils in that specialty. Questions of property and life, of criminal intent or innocence under morbid conditions, are constantly aris-

ing in our courts, and determined by the testimony of physicians. If they be ignorant where they should be wise, the innocent may hang and the guilty go free. No physician should be permitted to shield his ignorance behind a diploma and imperil in the courts the property or the freedom or the life of a citizen. We will hope the "step forward" will soon be, if not already, taken.

The number of the insane in the United States is greater than in any other country except, perhaps, England. It is about one to a thousand of our population, and some statistics give it as one in seven hundred and twenty-eight. Comparative statistics of the disease in different countries demonstrate that insanity is a part of the price we pay for our Western civilization. It is comparatively unknown in the East. The immobility of the Oriental peoples, their systems of caste which force every generation to trundle its monotonous life in ancestral grooves, lead to an individual and national calm, the complete contrast of our ceaseless agitation. It is a disease provoked by causes which powerfully affect the nervous organization. Contemplate for a moment our American life. The business of the country is an Atlantic of storm, which scarce knows repose. We buy, we sell, we tear down, we build up; we put girdles round the globe, as if our time were but an hour and eternal destiny hung upon these material issues. With our rapid successes, which will try the brain of the stoutest, and our as sudden reverses, toppling in a day the stateliest pile that energy and opportunity can rear, what must be the wear and tear of that central force which is at once the driving-wheel and motive power of our business activity—the nervous system? The Cretans designated their good days with a white mark. It was reserved for us to invent Black Fridays. Every secular day in the year is "black"

for somebody. Every day of the year somebody's brain reels.

Splendid as is our civilization, insanity and intemperance—its foremost proximate cause—are its dark shadows which follow its march with ever-deepening gloom wherever it goes. They appear at our firesides, at our altars, and in our most sacred seats, like the skeletons at the Egyptian feasts, as if to mock us. These features of our Western life impose peculiar obligations.

Man is the creature of society. It envelops him as an atmosphere, and he cannot escape its mutualities and responsibilities. No man liveth to himself, and no man dieth to himself. We are bound together in this community life, and not a member of the vast confraternity can be diseased and the whole body not suffer. We take our civilization *cum onere*, and our society with all its obligations. These obligations towards those disabled by disease do not begin and end with the actual insane. Insanity has a large kindred. Statistics reveal the fact that a considerable percentage of our insane become such through intemperance, while multitudes from the same cause become as useless to themselves and the public as if they had reached the last stages of dementia. Among the later discoveries of medical science is the fact that habitual inebriety is a disease, sometimes hereditary, sometimes brought on by indulgence without hereditary tendencies. Once established to be a disease which palsies the will and leaves its victim helpless in the hands of its foe, and further established that, except in cases of confirmed drunkenness, it is in a majority of instances a curable disease, and further established that inebrate asylums wisely administered meet all the conditions for restoration in cases seasonably committed to their care, it

follows that such institutions are a necessity and should be provided.

I know no reason, where the conditions I have named obtain, which justifies the founding of institutions for the insane which is not equally applicable to institutions for the restoration of inebriates. If inebriety leads to insanity or to any other form of destructive disease, why should the public interest not rise to the exigency?

Do we say the evils to the victims of intemperance are divine judgments and society should not interfere to break their force? That principle would empty every alms-house and asylum of a large portion of their occupants.

We have vices in our midst which are paralyzing the energies of vast multitudes of our people, mortgaging future generations to imbecility, to insanity, to premature death. It seems the duty of the State to invoke science and philanthropy to resist those evils which weaken its strength by deteriorating its citizenship.

The principle is now fully recognized that the insane are the wards of the State. This makes the State their guardian with all the duties and obligations of that sacred relation. The care of the insane in asylums is necessarily developed upon officials and subordinate attendants, and it follows that persons entrusted with such care cannot suffer from abuse or neglect, or from the want of suitable apartments and appointments in public or private asylums, or in county alms-houses, without public shame and dishonor. The first want in our own State, it appears to me, is the creation, substantially as exists in England and in the State of Iowa, of a board of commissioners in lunacy, whose duty it should be annually to visit every public and private asylum and to report to the legislature their condition and that of their inmates, and their own

action. They should have large powers, and all charges of cruelty and needless detention against asylum officials or attendants should be probed by the board to the bottom, and if sustained by proof, the punishment and remedy should be swift and without fear or favor.

The want of such a board is now met by special committees to meet special occasions, appointed by the governor. That duty has recently been discharged by Governor Hoffman in a way that leaves nothing to be desired. Such board, as does this committee to which I have alluded, should represent the purest personal character, large capacity, and, in part, the highest learning of the medical profession.

Some of the most important reforms in insane asylums in England and in this country have grown out of the exposure of abuses, such exposures sometimes being made by legislative committees, sometimes by accident, sometimes by the alleged impertinence of parties suspecting wrong. Abuses in lunatic asylums have no claim upon the public indulgence, and the public are ever grateful for their disclosure, come how they may.

With the soundest legislation, abuses of administration will sometimes creep into charitable institutions officered by the best character, through the carelessness, cruelty or cupidity of subordinates. Now this brings me to remark that there are abuses of administration in the lesser details of such institutions which often create the greatest suffering of their inmates.

“Allow not nature more than nature needs,
Man’s life is cheap as beast’s.”

A Regan and a Goneril can feed Lear, and house him, but it is Cordelia, with heaven-bestowed restoration on her lips, that cures the great breach in his nature. Kind-

ness, sympathy, delicate attentions, are a prime necessity in such institutions. In my judgment, the kitchen, the linen, and the wardrobe departments in every general hospital, of every orphan asylum, and of every insane asylum, should be under the supervision of a local resident visiting board of ladies, with absolute power of removal of every subordinate in those departments found disqualified in any respect. There is no substitute for woman's instinct of the fitness of things in such relations, nor for her sympathetic heart in all that pertains to the comfort of children and the sick.

Cupidity and hate sometimes figure in startling tragedies connected with insane asylums. The cases I believe are rare, but a single instance of an abuse of the forms of law to minister to those passions, coming to the knowledge of the public, never fails to arouse its vindictive indignation.

The possibility of the confinement of persons as insane who are not insane, should be prevented by the most vigilant scrutiny and the most careful legislation. Do the laws of our own State afford adequate protection against such abuses? After a careful comparison of our statutes with those of Massachusetts and of Iowa and Illinois, relating to the insane, I am clear that our laws, so far as they relate to the commitment to asylums, public or private, need some additional safeguards.

All judicial proceedings preliminary to commitment, should be before a judge of a court of record.

A trial of the question of insanity, either before a jury or before a county board of commissioners, should be had whenever requested by the party sought to be committed.

Provision for such trial should be made after a certain period of detention in an asylum if requested by the party.

Under proper regulations parties should be free to write, seal and mail letters and to receive sealed letters.

Violations of requirements of the statute and all abuse of patients should be made misdemeanors.

The States of Illinois and Iowa have recently carefully revised their laws relating to the insane and insane asylums, and could be profitably consulted in the event of any revision of our own statutes.

A brief reference to the history of our own State asylums is appropriate. Our first insane asylum was the "New York," made ready for use in 1791. Here was soon inaugurated a policy which practically excluded the insane poor of the State, and scattered them among the jails, prisons and workhouses of their respective counties, so entailing untold misery for nearly half a century.

Bloomingdale Asylum was completed in 1821. In 1827 some relief was afforded by an act of the legislature prohibiting the further confinement of the insane in prisons and houses of correction. They were then transferred to the county poorhouses. Here neglect and cruelty were the rule—I speak of that early day—and they lived and died with little of that careful medical attendance and that kindness without which there can be no reasonable hope of restoration.

In 1830, the deplorable want of the insane poor of the State attracted the attention of some of the most benevolent citizens in and out of the legislature, who, co-operating with some of the most eminent of the medical profession, did much to awake the public interest on the general question. A few years later the State asylum at Utica was founded in pursuance of the new policy, an institution which, under its present eminent superintendent and his predecessor, has been an infinite blessing to thousands.

The legislature recently made an appropriation of \$150,000 for an insane hospital to be located in Orange county, to be under the charge of the homeopathic school of medicine.

In 1865 the legislature provided for the erection of the Willard Asylum for the Chronic Pauper Insane, located at Ovid. In 1867 an additional asylum was founded at Poughkeepsie. In 1869, to meet the pressing exigencies of the western part of the State, the legislature provided for the erection of an asylum west of Utica, and appointed five commissioners to select a suitable site in the eighth judicial district. That commission was composed of eminent members of the medical profession, who at an early day entered upon their labors. The generous appreciation of this enterprise by different sections of the district presents as honorable a chapter in the history of Western New York as ever was written. Lockport, Westfield and Warsaw, particularly, offered inducements to the State which filled the full measure of a noble generosity. The final selection of Buffalo for the site was not owing to any pecuniary inducements to the State which out-rivaled those of its neighbors. The more ample appointments secured in a large town, and the facility of access, a prime consideration in the location of a lunatic asylum, by the concentration of railroads from all points at this general center, alone determined the location. The asylum is to be built upon the basis for the accommodation of five hundred patients. Modeled to embrace the latest improvements in the best asylums of Europe and this country, it is believed it will be an advance over all existing institutions for the insane in its provisions for their comfort and health. Certainly it should be, for it has all past experience for a guide. Its two hundred acres of ground afford ample space for recreation, and for

those occupations which are essential to insane patients, mechanical, agricultural and horticultural. This location secures a great essential, privacy—the means of shielding the inmates of the asylum from the rude gaze of the unsympathizing and curious. Religion, literature, music, art, and social joy, will here, we trust, be invoked to calm, to soothe and to heal. Here, by the shore of one of the most magnificent rivers that God has given as a type of His majesty, in view of that expanse of waters which, stretching out into sea after sea, floats a commerce that might well represent the industry of an empire; amid a retirement on these broad and secluded acres which invites the most weary to rest, and natures the most discordant by disease, to the harmonies that flow from health and gentle nurture—may this asylum, through all ages to come, be a beneficence and a glory!

Nothing new and valuable establishes itself. Somebody must do the initiatory hard work. The establishment of an insane asylum in Western New York was no exception to this rule. It is simple justice to refer to the most active instrumentality.

I know I express a universal sentiment among those familiar with the facts, when I say that to Dr. James P. White, the president of the asylum, are the public specially indebted for his unremitting labors at home and abroad, in season and out of season, to secure this grand result. He was most ably seconded by Dr. Gray, of the Utica Insane Asylum, who, better than any other man, from his position, could appreciate the necessity of an asylum in this district. Senator Nichols rendered valuable aid in carrying through the necessary legislation, and it is the word of those who best should know that Mr. Joseph Warren was an important coadjutor throughout. Others might be named, for the response was almost as uni-

versal as the appeal. The medical faculty throughout the district gave a hearty co-operation to the movement.

Our subject has led us to observe the important relations of science to institutions for the insane. While we recognize our obligations in that direction, we will not forget that this and kindred charities draw their best inspirations from yet higher sources.

Nineteen centuries ago was floating through the sacred literature of the Hebrews, a principle of action overlaid by the ceremonial and dwarfed by the exclusive spirit of that marvelous people. It needed but to be recast, and transferred from a race to mankind, to become a regenerating force in human societies. Jesus so rescued it—vitalized it by His own personality and life, and committed it to the soil of the decaying pagan civilizations. That seminal principle has grown to a mighty tree, ever fruiting with institutions which are the glory both of Hebrew and Christian.

Let this day's proceedings strengthen our hope in the future of humanity. The motive power of all true social amelioration is love; and with communities and States, as with individuals, love fulfills, crowns with completeness, the law.

THE NEW BUFFALO ARMORY.

ORATION DELIVERED AT THE DEDICATORY EXERCISES,
FEBRUARY 24, 1868.

IT is a grateful office to dedicate offerings to Charity and Benevolence. It is a grateful office to identify ourselves with institutions that are the outgrowth of the public peace, and that illustrate and adorn the Golden Age of society. Would to God that all the future victories of our country were to be the victories of Peace! Would to God that the promised day had dawned when every sword, however gallantly borne, could be safely beaten into plowshares, and every spear into pruning-hooks, when nation should not lift up sword any more against nation, and the art of war, with all its pomp and circumstance, should be forever forgotten.

Blessed that day, and happy the generation that shall see lifted from their shoulders a burthen under which millions are now groaning—a burthen which crushes the labor of Europe to the earth, and drains the blood of its youth to cement and solidify imperial dynasties.

But, unhappily, that day seems far remote, and until the nature of man is changed, so long as pride, selfishness, and love of aggrandizement and supremacy characterize nationality, that nation makes a fatal mistake which, listening to the pleasant song of peace, folds its arms in security and forgets that its strength rests, not in the forbearance of its neighbors, but in its power to command justice and to punish outrage. You would think

me insensible if, during my absence, covering the entire period of our unhappy war, I had not often borne a heavy heart when tidings of national anguish and defeat came to me from over the sea. You would judge me rightly. But the saddest hour of all that long agony, was not after tidings of battle disaster, distressing as often they were, for they had their consolations. Brave souls had gone down to dusty death, but they had left their heroic example, and imparted an unfading glory to the American name. They had fallen, too, in a cause worthy the blood of heroes, the cause of republican nationality, the cause of human liberty all over the globe. The saddest hour to me of all that four years' struggle, was when I sat a listener in the house of parliament, to the declaration of Lord Palmerston, then at the head of the government, that the demand for the surrender of Mason and Slidell had gone forth, and that to back it an army was already on the seas, and that refusal would be followed by war. I knew, as the Palmerston ministry knew; I knew, as the British aristocracy exultingly knew, that we were in no position then to resist a demand to undo an act which was in conformity with numerous precedents during two hundred years of English naval supremacy. For England, and I speak the truth of history, has been her own maker of international law, and her way has been her will.

Never shall I forget the words of the London *Times* in reply to arguments of American statesmen justifying the arrest by English precedents. "We know we have done many wrong things in times past, but we were always able to fight them through." Yes, gentlemen, that was the saddest hour, for it revealed to me the inability of the country, with its gigantic civil war on its hands, to meet its enemy at the gate and defy its armies

and navies. I did think, I confess, of the exposed position of our city, and I knew that there were many chances that its material splendor and power would be the first victims of a war between the two countries. But it was the sense of humiliation that was most hard to bear. That my country was scoffed for her weakness, that she was so trammelled by her internal troubles that she could not command even courtesy from a haughty power, but she must bear the word and take the blow together! Yes, I saw the leader of the English government covered with huzzas when he contrasted our supposed weakness with British strength, and pointed toward his armed fleet which was expected to carry devastation to our cities and ruin to our nationality.

Gentlemen, count on me henceforth as accepting, in all its fullness, the maxim, "In peace prepare for war."

Gentlemen, we were saying that it was a grateful office, the most grateful, to dedicate the offerings of Peace.

To-night we have come to dedicate an offering *for* Peace, but *to* War.

It seems proper that some details of the history of the Seventy-fourth Regiment, for whose use this armory has been erected by the county, should be here given.

The Seventy-fourth Regiment was organized in 1854, with about two hundred and fifty men, and with the following field and staff officers:

FIELD AND STAFF OFFICERS.—John M. Griffith, Colonel; John H. Bliss, Lieutenant Colonel; Watson A. Fox, Major; William F. Rogers, Acting Adjutant; Harvey M. Mixer, Engineer; Rev. M. L. R. P. Thompson, D. D., Chaplain; Thomas F. Rochester, Surgeon; Lewis P. Dayton, Assistant Surgeon; Frank Ritter, Quartermaster; James D. Sawyer, Paymaster.

LINE OFFICERS.—*Captains*: Robert Cottier, David Tuttle, William F. Rogers, Daniel D. Bidwell, Michael Bailey, Edwin

Bishop, William H. Drew, Alexander Sloan. *Lieutenants:* John F. Wage, C. F. Sternberg, John McManus, Allen M. Adams, George W. Johnson, E. R. P. Shurley, W. Dumont, Horace Wing, Jr., John Peterson, Frank Gaven, Samuel C. Green, Hugh Sloan.

Colonel Griffith resigned in May, 1856, when Colonel Watson A. Fox was elected in his stead, who held the office from that time until some period in 1864.

Fully appreciating its mission during the years when war seemed infinitely remote, it devoted itself to regular military habits of exercise and drill, and thoroughly prepared itself for any national exigency that might arise.

When civil war became imminent, and the first call was made by the president for 75,000 men, Colonel Fox, in May, 1862, tendered the services of the regiment to the governor of the State, it then numbering eight hundred, officers and men. The services so tendered were accepted, and it was ordered to leave for Washington on the first day of May, 1862. Much to the disappointment of the regiment this order was countermanded just on the eve of their departure. Colonel Fox, accompanied by Honorable N. K. Hall and Honorable E. G. Spaulding, then made a visit to Albany to persuade, if possible, the government to renew the order. They failed of the object of their mission, for the reason that advices had been received from Washington that no new men were wanted. Then Colonel Fox tendered the services of the regiment for two years, which tender was not accepted for the same reasons. Within a few days from this last decision, over five hundred men volunteered from the Seventy-fourth into the United States service, and proceeded to Elmira and there consolidated with other companies from this city which subsequently formed the

Twenty-first Regiment, of which Captain Rogers of the Seventy-fourth was unanimously elected colonel.

The Twenty-first Regiment so formed was the first that left Buffalo for two years' service, the majority of its officers being chosen from the Seventy-fourth. The Seventy-fourth kept up its organization, its drills, and exercises, and held itself in readiness at a moment's call. I am afraid it is too true of soldiers as of other men, that their good is often "writ on water." It is just to a body of men who have been the guardians of the public peace, that their service should be properly acknowledged, and that our vast interests of life and property should realize to whose vigilance they owe their security. The Seventy-fourth, aside from its service abroad, have been important custodians of the peace at home. At every alarm they have been among the minute-men who have kept awake that others might sleep. This service they performed at the time of the attempts upon Johnson's Island to release Confederate prisoners, and on several occasions of threatened raids from Canada. When in September, 1863, the city was startled by the intelligence that the rebels had seized two steamers with the view of arming them and preying upon our lake commerce, and its intelligent board of trade were looking about for proper means of defense, the Seventy-fourth met the exigency, and General Lansing, the brigade commander, offered to equip with men and guns a steamer for defense against the anticipated hostile expedition. The offer was accepted, and the needful cruising service rendered, until the project of rebel attack was abandoned, after the sinking of one of their vessels, and the capture of another by the gallant soldiers of another State.

In October of the same year, the town was again startled by the intelligence that a large body of rebels

equipped with incendiary materials, were about to march on Detroit and Buffalo, and the several companies of the Seventy-fourth Regiment were promptly detailed to patrol duty about the harbor and along the river. Amid the storms of the season, and with unusual exposure to their severities, and with no compensation except the consciousness of self-devotion to protect the city, they discharged that duty. On other occasions of apprehended public disturbance, they were the acting guardians of the peace. It was a local auxiliary police force, a watch, a guard. The regiment interposed their lives between the city's safety and every threatened danger, come from what source it might. It is something for a thousand men to offer their breasts as shields between a foe breathing fire, rapine and slaughter, and a city of 100,000 inhabitants and their possessions.

But the service of this regiment was not confined to home, and it is not their fault if they have not the same battle records with some other regiments of the State. They went wherever they were sent. At the time of the rebel raid into Pennsylvania, when the army of Lee met that defeat from which it never recovered, and the Confederacy learned that they could never transfer the seat of war to the north of the Potomac, so long as there were Northern men to bear arms, the Seventy-fourth Regiment was called to the most important and successful service in Pennsylvania and Maryland in thwarting the strategic movements of the enemy. Immediately after the battle of Gettysburg they were summoned to New York to aid in the suppression of the riots of July, 1863, riots which inflicted an indelible disgrace upon our civilization, and placed in imminent peril the safety of the metropolis. That was one of those occasions when the country learned that local crises are liable to arise, when

the ordinary municipal police are but as the chaff before the rolling whirlwind in the presence of an organized mass of brute-force, which, drunk with passion, and infuriated by the spirit of demons, with pike and blazing brand sweep on in their mad career, reckless of the many or the few, the incarnate genius of destruction and anarchy. Let us remember that it was the military hand that quelled that mob. The soft words of priests and laics to stay the wild flood of such demoniac fury! "God save the mark!" Let us accept the lesson. Large cities are liable to crises, more often in times of war, but liable to occur in times of profound peace, when public order is threatened with overthrow, and infuriated masses, trampling under foot every citizen obligation, attempt to inaugurate a reign of violence in the place of law. Let us accept the lesson, and the fact that at such crises nothing can surely be relied upon to stay this flood of ruin but the military, and that its necessary method of repression sometimes must be the bayonet and artillery. Underlying all our civil methods of preserving order, presenting themselves in forms so gloved and furred that they appear but as elements of grace and dignity, is a coarse power, the security for them all, which has no other name than force. It has a hand of iron and its grasp is death. From the field of riot in New York the regiment was ordered back to their own city, to aid in the suppression of incipient riots at home. They answered the call of the local authorities to preserve the public peace, again securing the supremacy of order and law.

The Seventy-fourth Regiment has been an academy for the military education of officers and men. About fifteen hundred, of whom three hundred were officers, graduated in this school into active service during the war. Over one hundred officers so trained and sent

forth into other regiments, were either killed in battle or died in hospitals, or languished out their weary lives in Confederate prisons. Our glorious Forty-ninth and Twenty-first Regiments, whose gallant conduct in many a hard-fought battle is an enduring glory, were largely officered and manned from the Seventy-fourth. Is not this history worthy of public recognition? Now why should not Buffalo take into its fostering regard this organization? Can she afford to allow its military organizations to die out for want of that citizen sympathy without which the soldier who respects himself will soon retire from the field, leaving the organization, if it survive at all, to degenerate into a mere worthless, undisciplined pageant and show? I know that the reasons for maintaining large standing armies in Europe do not exist here, and I know that unless some future madness shall accomplish the project that has just been thwarted at such terrible cost, the breaking up of the federal government into separate and rival powers, there never will be an occasion for fastening such an incubus upon our people. I know, too, that since our isolated position as a nation renders us independent of the nice and jealous adjustments of the balance-of-power policy of Europe, we are relieved from the necessity of a large standing military force. I know, too, we have no subjugated commercial colonies in remote corners of the world, rendering an unwilling obedience to an authority they hate, an authority they would cast off the first moment they felt relax the grasp of the military arm. But, notwithstanding all these happy advantages, I know nothing could be more fatal to our security than to abandon all military organizations, and to refuse, in peace, to prepare for war.

You cannot prepare for war in any way so cheap, or so agreeable to our social spirit, as by maintaining in towns

like ours, two or three regiments composed of the vigor and energy of young manhood, and representing the solid interests of the public. They become schools of military science and discipline, and in time of war become the nucleuses of vast armies. There is no large town on the globe that can so ill afford to dispense with this aid as Buffalo. Beautiful and glorious as she is in her art, and sitting as she does like a queen upon her commercial throne at the foot of these seas which float a wealth greater than a Solomon ever dreamed of, her beauty and her glory are the monuments of her precedent ruin at the hand of War. Humble as she was in 1812, she was a bright mark enough for the enemy to strike at. She had no warehouses, no elevators, no vast manufactories for the torch ; but Buffalo, as she is now, without extraordinary means of defense, and in a night of surprise, could be as effectually destroyed by the well organized raid of an enemy as she could a half century ago. I do not anticipate war with England, but I know that human passions are unchanged, and I know that during our national history, there never has been an interim of many years without some cause of common difference which embittered both countries, and taxed the wisest statesmanship to pacifically adjust. How many nights of anxiety had our town during the late rebel war, when Canada was a great Cave of Adullam, affording shelter and impunity to your enemies who exhausted all their power to devise schemes of destruction for the cities of the lakes ! And since the conclusion of the war, how nearly have we been, and more than once, to serious trouble through those semi-domestic enemies of England, who would make our shores, for their purposes, what the Confederates made the shores of Canada, for theirs—a base of hostile operations. What vigilance it has cost our government to

thwart their purposes, and how nobly did your regiment, gentlemen, vindicate its character as a preserver of national peace and of local safety, by its service in those times of tumult.

And here let me say, that if there be any act of our people and government for which I specially thank and honor them, it is that, in dealing with this domestic English question, they have risen above the sentiment of revenge, which should wholly pertain to another civilization than ours, and have taught the world that the genius of American democracy allies itself to the principles of Christian justice. They have returned good for evil, and by their magnanimity have won victories more glorious than can ever follow the triumphant eagles and ensigns of their armies.

The great interests of civilization are too precious to be surrendered to the guidance of the lower passions of our nature, and American democracy (I employ the term in its broad and not in its partisan sense) has a sublimer mission than revenge—the nobler mission of teaching Europe international justice.

These military organizations cannot be maintained except by a generous co-operation on the part of the public. They should be manned by character, and by their *personnel* command the public respect. This is easy when the public recognizes its reciprocal duty. What is that duty? These organizations involve heavy expenses. They absorb precious time; and this armed police force, without which your town may be placed at the mercy of organized passion and violence, cannot afford to bear the entire burthen of maintaining this guardianship of private property and public peace.

What would not Buffalo give in an hour when it should find itself at the mercy of infuriated passion, for the aid

of an adequate military force? Will its private capital forget its generosity and its enlightened selfishness, and refuse to aid the organizations which are ever ready to interpose themselves between revolutionary violence and the public tranquillity?

A single word further on the national necessities. It is an age when every first-class power but ours is taxing its highest genius to perfect its arms, and to put into the best condition its fighting force. If the European world is to have peace hereafter, it is because it is prepared to fight for it. The same ambition and lust for dominion which characterized the nations fifty years ago inspire them now. There is not a small power in Europe which stands intact to-day upon any other principle than the balance-of-power principle, which rests upon three million bayonets. Portugal is covered by the paw of the British lion, or Spain would absorb her in a day. Switzerland, with her two hundred thousand brave soldiers, nursed at the bosom of her republican institutions, would fall a victim to a strong power on the continent, had it not the whole moral and military strength of the rest of Europe to secure her independence. Organization and centralization express the reigning policy of European cabinets. Is it a day for us to adopt a policy of indifference, breeding weakness and inviting aggression?

Let us not, while all the world is fortifying its military strength, wholly yield ourselves to Millennial dreams. Let us accept the situation, and meet its possible exigencies.

Gentlemen, I have spoken on the war side of this question. There is another, which is associated with our charities, with our festivities, with public occasions of joy, and even of sorrow, in times of peace, which may have a brief allusion.

This is an era not only of enterprise and work, but of social recreation, of festive pomp and pageantry. It has learned good old Milton's song:

Hence, loathed Melancholy,
Of Cerberus and blackest midnight born,
Haste thee, Joy, and bring with thee
Jest and youthful jollity ;
Sport that wrinkled care derides,
And Laughter holding both his sides.
Come and trip it as you go,
With a light fantastic toe ;
And in thy right hand, lead with thee,
The mountain nymph, sweet Liberty.

We associate our charities with social pleasure, and so, almost, do good by stealth. Even Science, with her grave face and sober livery, looking with her calm eyes into the mysteries of things, when she approaches us for a practical demonstration of our reverence and interest, comes leaning on the Graces, as radiant with smiles, and bewitching as they.

Your organization can contribute to these festivities, and can swell their offerings to charity, by the relations of sympathy which you can establish between you and our benevolent institutions. I am happy to be able to say from the commander of this regiment, that the Seventy-fourth will ever be happy to associate itself in every proper way with the enterprises of our noble women and generous men, who, while seeking the sunny side of life for themselves, forget not the orphan, the widow, and the homeless.

I was forewarned by the gallant commander of the regiment, that my address should be within the minutes I have assigned to it, for there were festivities in waiting. His hint had been needless, for when I see this array of beauty that surrounds me, I am as one entranced by a magic spell.

Gentlemen of the Seventy-fourth, we are not in “Belgium’s capital,” nor do startling echoes reach us from a tragic Waterloo, but in this temple, to-night dedicated to War, yet garlanded with the trophies of Peace,

“The lamps shine o’er fair women and brave men,”

and I bid you and your guests—

“On with the dance! let joy be unconfined,
No sleep till morn, when Youth and Pleasure meet
To chase the glowing hours with flying feet.”

INDEPENDENCE DAY.

ORATION DELIVERED AT BUFFALO, N. Y., JULY 4, 1870.

FELLOW-CITIZENS:

We should be unworthy our inheritance, if we did not greet this anniversary with grateful emotion. Let us not check the sensibility which the associations of the day awaken. It is not the weakness, but the strength of our nature, that with worshipful feeling goes back to the birth-hour of the nation, to pay its homage to the memory of the fathers. No selfish egotisms, no vain love of personal glory, laid the foundations of our government; the sacrifices of the Revolution had no other prompting than a love of rational liberty, and a purpose to establish political institutions under which private and public interests could be best protected and promoted. It was the first instance in modern history in which government was practically regarded a solemn trust for the people, in which no hierarchy should stand between God and the individual soul, and no order of aristocratic privilege largely absorb the powers of the State. It was the sentiment of unselfish devotion to a cause which rendered possible the characters who made that age heroic, if not unique, in history. We cannot come too often to that early altar of sacrifice, and find fresh inspiration in the faith and patriotism of its worshipers. Whatever may have been the achievements of our generation, and we may hope, in no vain-glorious spirit, it has not been unworthy its lineage, it has not transcended. The central figures of the revolution-

ary period are still colossal, and the character of Washington yet borrows no enchantment of receding time.

The principle of development is nowhere more apparent than in the domain of political ideas and events. Men not only build better than they know when they lay the foundations of a free State, but there is a providence enfolded in every great revolution and historic event, which time alone can evolve. If its secret be suspected at all, it is by the very few, perhaps the single prophet of the nation, who see below the horizon of the present and feel in their own souls the heart-throbs of the future. The present spirit and power of the nation are the development of that hidden principle which was latent in the revolution. How few appreciated, as did Jefferson, the expansive power of free institutions, that they were the Aaron's rod of this continent, which, by a law of attraction as irresistible as that which governs the material universe, would in just and legitimate methods, absorb the lesser rods, the savage and weak powers with which they came in contact, and so give all this heritage between the oceans to cultured man. This expansive element was resisted by many statesmen who spent their lives in bondage to the supposed incapabilities of a written constitution, thinking it to be inflexible as iron, which could not bend without breaking. As if a constitution were a creation, and not a growth, as if it were intended to bind down a young State and encase its life forever in the swaddling-clothes of the cradle! As if a nation, born of freedom, would not, when it felt the stirrings of its mighty life, burst the bonds of any narrow code repressive of its growth or its defensive power! The nation owes its life to-day to the recognition of its organic law as a power of adaptability which rises to the occasions of the country, and enables it to execute its will. To this result both the great his-

toric parties of the country have contributed, one more especially in the line of territorial expansion, and the other of political ideas. So each has been the complement of the other, and the higher life and ampler power of the constitution has grown out of their stormiest controversies.

Another development of our institutions, to which the late civil war largely contributed, is the growth of the federal power, perhaps I may say the principle of centralization. The weakness of the federal government was in the tendency to make the several States sovereign at its expense. This introduced into our system an element which over and over again has proved fatal in the history of States. It was the whole mischief of our early confederacy, it was the vulnerable point in the Amphictyonic Council of Greece, the attempt to make a central government, ever antagonized by numerous independent States, swayed by all the conflicting motives of interest and ambition. However strong may be the attachment to the State of one's birth or adoption, the first political interest of the citizen should center in the federal government. Multitudes of men were driven into the late rebellion against their personal convictions, by that sentimentality which yielded their first allegiance to their State: so subordinating their greater duty to the nation, to the lesser their local government. We may spin our theories never so fine about State Rights in time of peace, but in time of war there must be a central power of force enough to execute the will of the nation. Bismarck was rude but wise when he attacked the vice of the German system, and made a nation out of the feudal fragments of the empire. It must be that or the chronic weakness of petty independencies. I have no sympathy with irresponsible or capricious power, but I recognize a judgment

and a will which is truer and better than the judgment and will of any fragment of a great nation, that of the nation itself. Let us not take needless alarm at the greater centralization in the federal government. It is this which has given the nation greater political symmetry, and enabled it to protect itself against the armed theories of independent State sovereignty.

Providence, in its own time, has unfolded a purpose in connection with the occupation of this country, which seems, in its full import, to have transcended all prophetic vision. That purpose, as I read it, is to make it the theatre on which is to be developed the co-mingled and fraternizing energy and character of certain of the leading races of Western Europe, which combine an intense love of individual liberty with a passion for well being. By their union in these States, the vigor, enterprise, and intellectual grasp of the Anglo-Saxon, and the patient industry and philosophic method of the Teuton, are here to work out, whatever that maximum may be, the best results of civilization, which, humanly speaking, is their own creation. Germany gave to the world the printing press, and so restored to Europe the treasures of learning which for centuries had been buried in her monasteries. Germany vindicated the right of private judgment and created the era of intellectual emancipations. The Anglo-Saxon race, with the same aspirations, wrought out with even more success the German idea. It gave freedom to trade, to commerce, and to the citizen, freedom in the Church, and freedom in the State. By education, by physical comforts, by taste and art, and by the sacredness and purity of their homes, the two races have each worked out a civilization, acting and reacting, each upon the other, which, when brought together on a common field, find themselves kindred forces. I speak of these two.

races, not to ignore the Celt, which plays no unimportant part, but because they so far do, and ever must, numerically, largely preponderate.

The African race among us is an important incident which has now no legal barrier in the way of its advancement as a social and political power. But its most hopeful representative or friend, will hardly claim for it that it will make any distinct and new impression on our American society. I say again the now revealed secret of God is the planting here for development in harmonious union and co-operation, these races of Western Europe to work out the problem of their individual and national life as best they may. They are in sympathy in religion, in methods of speculative thought, in the genius of their peoples, and in their social habits and industries.

I do not undertake to penetrate the Divine purpose in isolating as He has for thousands of years the Eastern races, and especially that race which has appeared in considerable number on the Pacific coast, and is now beginning to disturb the relations of American labor in other sections of the country. I recognize the fact, and that as a race it has in its development, in the whole line of individual and national life, hardly an element in sympathy with the Western races.

If the religion of a people determine their type of character, they are wedded to a system which for nearly three thousand years has cast every generation in the same mould. It is a nation not without virtues, but without the inherent force capable of a progressive civilization. It is Eastern, and distinguished by that immobility which can run only in the grooves of tradition. The partial contact that people are now seeking with the West will not impart that force. It may be aided by external helps, but the force that lifts a people to the

higher plane is inherent in the national character. It is not as if the Chinese were without a civilization that had penetrated all their life, become incrusted in and a part of it. If they were so without a civilization as were the people unnaturally forced here from the African continent, they could be moulded—so far as they were capable of receiving an impress—by contact. We must accept history when so plainly written by the finger of God, and its logic. There is no reason which philosophy can give, why the Chinese, ages ago, attained their maximum of development and were hardened as in adamant into the type in which we find them, except that it is the necessary result of the normal law of their character. The stream will not rise higher than the fountain, except by a forcing process, and when the force is withdrawn the stream falls to its natural level. England has governed India for nearly two hundred years, yet the whole Indian system of social and religious polity remains substantially unchanged. India, like China, had an old civilization. She could be bent by a superior political pressure, but not broken, and her whole machinery of caste and of social organization is running to-day essentially as in the times of Clive and Hastings. As there are great physical divisions of the globe, the tropics with their perennial luxuriance, the temperate regions which yield their fruits only to patient industry, and the cold latitudes of the North where human life is maintained by a hard and persistent conflict with nature, so do we find corresponding divisions in the human family who present us equally radical diversities. Whatever of this may be ascribed to physical causes, it is sufficient that they exist, that they are radical and unchangeable. This brings me to say, in connection with my thought in relation to the future of the country, that I regard the commingling here of the

Mongolian with the races of Western Europe unnatural, and full of evil portent. Let us look at it from the lowest plane first. It is argued that a large Chinese emigration is desirable, because they bring industry and a certain imitative skill of fingers, which can be employed at low wages and so largely add to the gains of capital. It is then a movement that seeks to disturb the natural and ordinary relations of our labor and capital. The Chinese can live upon little, for such is their national habit, and they are content with the meanest physical conditions. American labor asks so far to share with capital their joint product, that it may enjoy that degree of comfort and culture which it has been the boast and glory of our institutions to afford it. This has not been the land of Chartism, nor of frequent unreasonable combinations of its industry. There is among us a standard of remuneration settled by the ordinary law of demand and supply, which has enabled the labor of the country to be well fed, well housed, well educated, and to maintain its self-respect. The labor of the country is a part of ourselves; it represents our civilization. It has ever been an influence and a power in the State. It has furnished the country many of its foremost representatives in the whole line of its public thought and action. American labor has gone from the workshop, the farm and the factory by natural gradations, to the professor's chair, to the foremost ranks in journalism, to the bench, to the senate, and, more than once, the presidential office.

In time of war it has readily responded to the call of country, and freely given of its subsistence and its life to its cause. Has it not a right to ask the country not to foster a policy that shall degrade it? That it shall not encourage the disturbance of established relations, and so give it less bread, poorer homes, and, consequently, a

lower social status without the hopes which have ever inspired the American laborer? What the need, I ask? The country has grown in material wealth and power with a rapidity that is the age's miracle. Its progress westward has been steady and healthy. European States have had years a thousand where we have had a hundred for development; yet within a century we have increased our population, out of homogeneous peoples, more than ten-fold.

Let not the country be over-solicitous about the interests of capital. It is quite able to take care of itself. It is the task of the present, and will be of the future statesman, to preserve the just equilibrium between it and the other interests. It is strong enough now to work its will. It is seldom thwarted, so powerful is it made through its corporate combinations. Capital holds the bread of labor in its hand, and it should take its chances upon the basis our own civilization offers, and not enhance them by an unnatural in-rush of a foreign element which, though filtered through a thousand generations, can never become homogeneous with our people.

Let us look at this question, for a moment, from another plane. China has four hundred millions of people. She can double our population and scarcely feel the loss. She could reduce all our labor to a standard of wages that would give her an easy monopoly in every branch of industry. She would learn her political power and soon become a disturbing force in all our Municipal, State and Federal politics. With no power of national assimilation, whither will such a relation, in the end, lead us? I answer, a large Asiatic population on this continent, of force enough, numerically, to seriously check the ascendancy of American interests and ideas, will inevitably induce a war of races. No instinct is more tenacious

than that of race, no conflicts more bitter and uncompromising than those which grow out of different civilizations struggling for ascendancy on the same domain. There can be no doubt what party will go to the wall in that conflict, should it ever come. The West will not be conquered by the East. The races who sprang from the loins of the sea kings, who have all the love of independence and power which characterized their northern ancestors before the centuries had trained them to social manners, will never succumb to Eastern effeminacy. Is it said the Chinese emigration is insignificant, and these apprehensions groundless? Remember that in about one hundred years a handful of Africans, brought to these shores in the colonial days, multiplied to four millions; that, to settle their relations to our society, the whole country was for four years wrapped in a whirlwind and tempest of war that swept down in its fury a half million men and ten thousand millions of treasure.

No, our nation cannot be the world's crucible and accept the final amalgam for our American civilization. It has a tone and spirit as distinctly its own as has China or India. It has attached to itself and absorbed homogeneous peoples, because they are homogeneous. It should invite no element it cannot absorb. Let the Western races here work out their destiny. Let it not be forced by any hot-bed development which can give no healthy growth. Then the vision of Berkeley may be realized:

Westward the course of empire takes its way,
The first four acts already past;
A fifth shall close the drama with the day,
Time's noblest offspring is the last.

National purification is the evolution of the same Providential law we have been contemplating, a law

which sometimes develops in the calm of peace, and sometimes amid the storms of war. From battle-fields have often come the best interpretations of old truths and the fairest forms of new. It is nature's paradox that life should issue from death, regeneration from decay. War has cut the Gordian knot which resisted the skill of generations of statesmen to untie, and solved the problem that seemed insoluble.

Slavery, so long the country's curse and shame, has gone down on the issue of battle, and is forever buried out of sight. It is ours to bury in its grave the hates it generated, and by every good office that mutual interests and the sacred associations of a common past can prompt, restore the happy relations of the revolutionary period. The South is not by any law of nature alien to us. We celebrate to-day with demonstrations of pageantry and honor, an event in which Virginia and the Carolinas bore an equal part—in labors, in struggles, in sacrifices—with Massachusetts and New York. I trust the time has arrived when we can do justice to each other, and when we can remember and acknowledge the virtues of every section of the country. I know the bitterness which civil war creates; I know the uncharitableness of party spirit; I know the proscriptive tendency of power, which exists alike under every name and every guise, and which is nowhere more intolerant and remorseless than in a democracy; but it is our duty to rise superior to prejudice and passion, and in mutual forbearance and confidence lay the foundations of the nation's peace.

Our war was one of systems, not of races, and inevitable as destiny. The victory is with us, and all our institutions are conformed to the highest ideal of citizen equality before the law. The country needs more than a voting force; it wants its brain and culture and enterprise

in every department of its activities, its legislation not excepted. In the material interests of the South we have ample hostages for the future. "Let us have peace."

While, looking at the general interest, these sentiments seem to me appropriate, there are memories associated with the late struggle which shall never die. If we bury our hates we will forget neither our loves nor our gratitudes. In the constellation of human virtues, the transcendent of them all is that grandeur of character which leads men to devote their lives to country. We are debtors to our heroes, both the living and the dead, not only for the right maintained but for an example of devotion and courage that dared to die. The principle announced to us to-day from innumerable graves, and from the rivers, lakes and seas where no marble can mark the place of the soldier's repose, has imparted to history its chief glory, has hallowed even the cross of Roman ignominy—self-immolation for others. How poor are our swelling words and dwarfish acts of sacrifice contrasted with their free gift of life! But let us not think of them as dead.

Virtue treads paths that end not in the grave ;
No ban of endless night exiles the brave ;
And to the saner mind
We rather seem the dead that stayed behind.

Theirs is the ampler life of their age. They live in its noblest thoughts, in its divinest worships, and sublimest achievements. They live in juster laws and regenerated institutions. Be it ours to maintain what at infinite cost they have secured, that this fairest fabric of constitutional liberty may endure with the ages.

DECORATION DAY.

ADDRESS DELIVERED AT ATTICA, N. Y., MAY 31, 1877.

MY FRIENDS:

These local associations, this beautiful valley, this amphitheatre of hills, these homes of the dead and yonder homes of the living, are a part of my possessions and me, as well as yours and of you. And when I remember that it is hard on to three-score years since I first saw the light, and that almost within a stone's throw from where we now are, and that from that hour to this a large part of what is most sacred to me has been associated with these scenes, with their living and their dead, you will not wonder that I unite with you in these offices with a sensibility no other spot on this earth could awaken. I know how absorbing is the present, and how rapidly the past recedes into ever-deepening shades. Yet he is either more or less than human to whom the early memories do not sometimes address themselves with irresistible appeal. I came here to-day obedient to your call, because I felt the touch of Nature draw me, and the sense of kinship through what is most sacred to you and to me.

Love of country is the strongest moral passion of man. It rises superior even to the instincts of home and family. It has given to the world some of its grandest ideals. I think it a standard by which we may measure the virtues of a people—certainly those virtues which give manhood, nobility and true grandeur to nations. Without it all

individual character is mean, and all national character calculating and selfish.

The patriotic sentiment has inspired the song, the art, and the commemorative ceremonial of the ages. No graves are so hallowed, no reputations so honored, as the graves and reputations of those who have given the last proof of their love of country. Said a Greek orator in his funeral oration over the patriotic dead, "The whole earth is filled with their monuments." He might have added that to the end of time new monuments would continue to rise to their honor among all peoples, in the sympathy and gratitude that would spring up in the hearts of successive generations of men. The deepest and truest homage our own people have ever paid to a citizen of another land, who was in no way identified with our own history, was to a stranger who laid the gifts of his genius and of a royal nature on the altar of his country. Kossuth was not a great statesman, but he was a patriot, and that was enough, and his presence among us roused an enthusiasm whose glow has not yet paled its fires.

The offices of this day throughout the land illustrate my thought. This beautiful ceremony—the decoration with the fresh flowers of spring of the graves where sleep our brave—is little to them, for they are beyond the ken of all we do; but it is much to us. For here we renew our citizen vows, and from these patriot graves comes an inspiration to purer and nobler lives. This day takes us out of the lower planes of our material pursuits, and elevates us to the pure region of the sentiments. And here I find its chief value to ourselves. Life is poor enough if we never rise above selfish motives and actions.

"Except above himself he can erect himself,
How poor a thing is man."

And it is amid these associations that our natures rise to higher planes and we appreciate the worth of a consecrated soul. O, it is a great thing for a man to take his life in his hand, and give it a free offering to a cause dear to his heart. That cause may to us seem unworthy; if it be religious, a vain bigotry, or a low superstition; if political, it may appear to us treason, with the deserts of treason. But independent of all these considerations, rising higher than our conceits, higher than our convictions, the crowning act of sacrifice, in man or woman, for a principle sacred to him or her who offers it, must challenge our respect, when we most sternly resist the cause that inspires the offering. The crowning act of the Founder of our religion, as well as the central point of its faith, was a voluntary sacrifice of His life for a cause. May I not recall to you His words of charity to those who led Him to the cross of Roman malefactors: "Father, forgive them, for they know not what they do."

This principle of sacrifice has its illustration here where you most honor it, for these were your sons, your brothers, the loved of your homes, the fellow-worshipers at your own altar. It was like a Roman, but was it not also like a man, when the stern patriot of the republic answered one condoling him on the death of his son, killed in battle: "I had rather be the father of this dead son than of any other man's living." These your dead not only consecrated their lives to a cause, but to a cause sacred to you, in which was bound up your dearest hopes for yourselves, for your children, and for humanity. Not to speak invidiously, for there can be no grades of honor among men who have given their lives to their country, there was one who went from among you a leader of the little band from a neighboring locality, who fell in the battle of the Wilderness, whose name not only recalls a personal hero-

ism, but brings freshly to our recollection the riches of the country in his gifted brother, who throughout that conflict was as a thousand men. The genius of the late Dr. Grosvenor W. Heacock, whom the country mourns, was kindled into its richest glow by the spirit of that trial-hour. He drank the hot blood of the revolution, and it set him all on fire. His eloquence and the magnetism of his nature were a distinct force and inspiration. I know few so great names in the history of the American pulpit, as John C. Lord and Grosvenor W. Heacock, both of whom brought their genius, their moral force, the great energies of their souls to the altar of their country, and while we mourn their loss, we crown them with unfading laurel in their place in the Pantheon of American patriotism. You will pardon this reference, for has not friendship its license, and is not patriotism our theme?

As to the results of the war, look in what direction I will, I see many elements of hope and cheer, and very few of fear and despondency. If I look at the emancipated race, I see that, while invested with the dignity of citizenship, and relieved from the severities of his previous condition, he is rapidly learning that freedom does not mean immunity from labor, and that, like other men, his happiness and prosperity depends almost wholly upon himself. It is not wise to borrow from our sentimentality our view of the practical relations of the freedmen. The colored race in the South is a peasantry, the only peasantry the country knows; and we cannot expect any wide departure for them from the peasant history among all civilized peoples. A peasantry vested with political power will, in the long run, act in harmony with the proprietorship of the land. It cannot long hold itself in political antagonism to the superior interest it serves. And there I find the solution of the political problem of the two races.

The relations of labor and capital or land must, as a rule, be harmonious. Violence may and has appeared during the transition period, while the social system has been working its way out of the chaos in which the war left them; but the permanent relations must, on the principles of enlightened selfishness, were there no higher motive, be peaceful and substantially just. When we remember that the Cotton States have made four and a half million bales of cotton during the past year, and that all the organized industries of the South have, as a rule, been successfully prosecuted, we must come to the conclusion that the very necessities of individual life and social organization will compel peace and harmony between the races. The terrorism of the Molly Maguires of our neighboring State of Pennsylvania has done more to disturb the relations of labor in that State during the last three years, than have all the excesses and violences in either of the old slave States to disturb the harmonies of their labor system. The Southern States are now all restored to their proper autonomies; they have passed out of the chaotic condition which succeeded the war, and I believe a new era of justice, of prosperity, of State pride, harmonious with an exalted patriotism, has already dawned upon them. I do not expect to see South Carolina transformed into a Massachusetts, nor Mississippi into a Vermont. I know that the institution of slavery impressed a character upon Southern society which gave a distinct type to its civilization. We see it in the violence which breaks out in their own feuds, as recently in Mississippi, exhibiting atrocities unsurpassed by Cossack or Turk. But I know also that by the side of this ruder element is often to be found a culture, a social sweetness, a manhood, and a devotedness to its own convictions of the right and the true, which in time may leaven the whole lump, and afford

a type of social manners and of political justice which, if not like our own, will act in happy accord with it.

One thing we must remember, that every State must work out its own destiny, with the elements it has in hand. Our federal government cannot erect a Procrustean bed of Puritanism or of Cavalierism, a social aristocracy or democracy for the States. It can assure them a government republican in form, and can aid them in repressing internal rebellions. But it is not imperial in its character; and the politician or the statesman who sets out to cast all the institutions of the several States in one mould to carry out any theory, social or political, attempts a war upon nature, and must ignominiously fail.

My friends, when on Friday last I read in the evening telegraphic reports that in some of the Southern cities federal troops and citizens were decorating the graves of both the federal and confederate dead, I felt to thank God that the bitterness between the North and the South was rapidly passing away, and that a war which, as I read it, was a war of systems rather than of men, and as inevitable as the destinies, was being viewed by the philosophic spirit of my countrymen rather than by their passions. And when so contemplated, the war through its results appears an element of national strength rather than of weakness. Slavery was the perpetual source of discord and disintegration. That eliminated, the moral controversy is at an end, and there is no element of necessary antagonism in the diversity of their pursuits.

The most sacred memories of both sections are a common possession of both sections of the country. The great names of the revolutionary period, whether of the Carolinas and Virginia, or of Massachusetts and New York, are the property of both, and their honor is a national inheritance. Let us to-day be just. The statesmanship

which forecast the future wants and future greatness of the republic during the middle period of its history, and prepared to meet them, had a Southern rather than a Northern origin. The Louisiana purchase and the Mexican treaty, which must ever rank among the transcendent acts of our national policy, securing to us, as they did, the substantial control of the continent, ending forever the possibilities of further European dominion within its limits, and offering the fullest and freest development of our commerce and our industries, were the measures of Southern statesmen. Separate and apart from the slavery question, which was a selfish interest and prompted selfish action, I believe the character for purity of Southern members of the national congress, in matters of general legislation prior to the great struggle, suffered nothing in comparison with their Northern colleagues.

And now that the element of discord which disturbed the national peace for a generation has been burned up in the crucible of war,—the method of Providence in all ages for the purification of States,—I see nothing in the future, unless we mar it by uncharitableness and hate, to prevent a career of individual happiness and national glory.

We must remember that, after securing to us the ordinary protection of the laws, it is very little a government can do save to leave its people free to develop their individual and State interests.

It cannot stay the tempest and the cyclone; it cannot command the sunshine and the rain; it cannot bid the devouring locusts retreat from the prairie to the sea; it cannot control those commercial crises which sweep, as now one is sweeping all round the globe, prostrating industries on every hand, and bringing want and ruin in its train. It is no miracle-worker, and its own limitations it cannot

transcend in times of peace without peril to itself and the national interests.

Let us not then expect too much of the federal government, and let us be content to allow the several States to develop their own industries and their own social and political economies, so long as they keep within the rule of the organic law, as their needs and the laws of trade and industry shall determine. In no other way, I believe, can the federal relations be happy or prosperous; in no other way can the rights of States or their self-respect be preserved.

My friends, I do not believe the history of the world could reveal to us any people of such vast and diversified interests, so loyal to order, so submissive to law, as our own.

The revolutionary element so prominent in French history, and which has appeared so menacingly in a half-dozen crises in Great Britain during the last century, has little place in the American character. We won honor as a nation at the Centennial Exposition, where American art and industry placed themselves in the foreground with the most advanced nations. We have won honor by maintaining the credit of the nation at a great sacrifice, accepting burthens with little murmur to uphold the pledged faith of the country. But I think, if possible, even higher honor was won for the nation by its bearing through the last presidential crisis. Rarely has occurred a better opportunity or a readier pretext for a civil strife. Such a crisis would have enveloped France with revolutionary fires. It would have given a shock to the stability of the British government that would have been felt all round the globe. But amid the intensity of individual and party disappointments, after a struggle for months to retain power on the one hand and to win it on the other, under

circumstances well calculated to put to the crucial test the moderation of the defeated party, the world beheld a spectacle of obedience to law, of acquiescence in the decision of the tribunal invoked to settle the controversy, which taught ourselves and taught the world that, if self-government be an impossibility elsewhere, here it is assured, and that revolution and anarchy have no place among us. I speak not of the right or wrong. I speak but of the fact, and of that as indicative of the reserve power in the national respect for order and law.

When I contemplate the dynastic wars which for centuries desolated Europe; when I see France after all her bitter experience with foreign and domestic wars trembling on the verge of a fresh revolution evoked by the fatal *coup d'etat*; when I see all Europe to-day preparing for one of those great balance-of-power struggles, which until the passions of men and the aggressions of States have been subdued by some principle as yet powerless to restrain, must continue a disturbing element in European States; when I see the Colossus of the north of Europe, whose symbols of power from the time of Peter the Great to Alexander II. have been the knout and the blood-stained highway to Siberia; in whose record of the present century is to be found the infamous partition of Poland and her alliance with Austria against the liberties of Hungary, a power whose restless foot has carried the flag of conquest to the borders of China on the one hand, and nearly one thousand miles on her southern and western march to dominion on the other; when I see her repeating her war of conquest under the pretext of defending the principle of religious toleration, which she never hesitated to violate when her bigotry or her ambition has incited to such violation; when I see the stormy controversies among the overcrowded popu-

lation of Europe, between capital and labor; when I see hunger and famine in the far East pressing sore the millions who know not where to turn for succor, the great forces of nature, as well as the ambitions of rulers seeming to conspire to make more wretched their impoverished people, and when I then turn to my own land, with its illimitable grain-bearing prairies, with its boundless avenues of commerce, its government entering upon its second century, more firmly established in the hearts of the people than ever before, with no internal element of discord, with no balance-of-power question to imperil its peace on the right-hand or on the left; when I see above our stormy politics and above the selfishness of men, above the lesser conflicts which are incident to all free States and which furnish a safe outlet for the passions generated by the struggles of a democracy; when, above these, I see sovereign law and constitutional authority in the clear blue of the American heavens recognized, revered and obeyed, I thank God for the deliverance of the past and for the exceptional career to which the future invites us! Forty millions of people with homogeneous institutions and free, with the widest liberty of person compatible with private justice and public order, with education brought to every man's door, and with a religion which goes hand in hand with art and culture, and is the inspiration of the sweetest charities of the land, I see no limit to its possibilities of individual happiness and national glory!

They will not build their empire on hates, but on charity and good will, and on that fraternal sentiment which must flow from common interests and a common destiny.

How petty seem the controversies of partisanship, the ambitions of individuals, the craft and cunning of polit-

ical organizations, which are temporary, the vanishing shadows upon the dial of the century, when contrasted with the permanent institutions of a State deep-rooted in the affections, the traditions, and the interests of a people. As individuals we build but for a day, and our egotisms and our vanities perish with our generation. But a State founded in justice, administered with justice, and sustained by the patriotism of its people, reflects the Divine government which rules the world, and may be abiding as civilization.

O, my friends, how good it is to be here, amid the graves of our patriot dead, and amid the graves of those without whose life many of us had never been, and whose sacrifices and toils rescued a wilderness from its savage waste, and secured for us this inheritance of beauty and gladness !

These scenes to-day are to me sacred and holy. The Divinity seems very near to us, and there is no place for any other sentiments than reverence and love. May this day ever remain consecrated to the memories which now fill all our hearts, and to these tender offices of gratitude and love.

DEATH OF LINCOLN.

ADDRESS OF AMERICAN CITIZENS IN PARIS (FRANCE), MAY 4, 1865.

[A NUMBER of gentlemen representing the most influential American families in Paris, assembled yesterday afternoon at the United States Legation for the purpose of presenting to his Excellency Mr. Bigelow the subjoined address of condolence, bearing upwards of three hundred signatures, on the national loss, which all America is now deplored, in the person of President Lincoln.—*Gallignani's Messenger.*]

To HIS EXCELLENCY JOHN BIGELOW,
Envoy Extraordinary, etc.

Sir: We have learned with the most profound emotion that our beloved late chief magistrate is no more. That at the height of his fame and usefulness he has been stricken down by an assassin's hand. Our joy over the nation's deliverance from the horrors of civil war, is turned into mourning by an event shocking to humanity, and lamented by every friend of liberty and law. Separated as we are, temporarily, from our native land, and standing amid the hospitable altars of a people associated with our most cherished traditions, our hearts impel us to give some expression, through you, of our sorrow and our sympathy. We beg to assure you that we share the grief that fills the hearts of our countrymen at home, and mourn with them the loss of the illustrious citizen, the wise magistrate, the just, pure and good man.

Yet while we mourn this incalculable loss, we would gratefully remember that Providence which spared him to his country until he had successfully guided us so near the end of the strife. His firmness, his justice ever

tempered with mercy, his faith in the dignity and rights of man, and his absorbing patriotism, were the inspirations of his official life, and, under God, have afforded us the happy vision of approaching peace and a restored union.

Four years ago he was wholly unknown to the world at large, and, except in his own State, had yet to win the confidence of his fellow-citizens. To-day, after an ordeal as severe as ever tested ability and character, he is universally accepted as one of the few born to shape the best destinies of States, and to make the most powerful impress for good upon the fortunes of the human race. If it was not reserved for him to create a nation, he was called most conspicuously to aid in preserving one against the most formidable armed conspiracy ever aimed at the life of a State. If in the completeness of our institutions it was not his office to add to the safeguards of liberty for his own race, it will be his undying glory to have lifted four millions of a feeble and long unbefriended people from bondage to the dignity of personal freedom.

The rights of humanity at last are vindicated, and our country is relieved of its great reproach. Already the world is claiming for itself this last martyr to the cause of freedom, and Abraham Lincoln has taken his place among the moral constellations which shall impart light and life to all coming generations of men.

We would here gratefully remember the words of sympathy for our country, and respect for the fallen, uttered with united voice by the rulers and people of Europe. We believe this event, which all humanity mourns, will strengthen the tie of friendship which should ever unite the brotherhood of States.

We would not in this address say more of the assassin than express our abhorrence of his dreadful crime, but we lovingly remember that the last utterances of him we mourn, were words of clemency toward the defeated enemies of his country. "With charity to all, and malice for none," he was superior to revenge. "Peace and union!" These secured, there was little place in his heart for the severities of justice. It was this gentleness, united to an integrity and unselfishness of character never surpassed, that won the hearts of his countrymen. We mourn not only the magistrate we revered, but the friend we loved.

It is not for us to scrutinize the dealings of a just God; we bow before His dispensations when least intelligible to human wisdom. But in sealing with his blood the work to which he was called, Mr. Lincoln has, we believe, been the means of placing upon more imperishable foundations, the unity, the glory, and the beneficent power of our beloved country. And if there be inspiration in high example, we know that his wise and upright policy in all our domestic and foreign relations, will be an additional guarantee for peace, charity and justice throughout the civilized world.

We beg to assure you, and, through you, Mrs. Lincoln and her family, of our deep sympathy in this their hour of affliction. We know how inadequate is all human consolation, but it is grateful to us to assure the bereaved, that we mourn with them their irreparable loss.

To the honored Secretary of State, Mr. Seward, whose death was also purposed, and the Assistant Secretary, Mr. Frederick W. Seward, and their families, we wish also to express our sympathy in view of their great perils and suffering.

We deem it fitting also to express to our distinguished fellow-citizen who succeeds to the chief magistracy, our sense of the trying circumstances under which he is called to his new trust. We find in the record of his long and useful public career, the basis of the most perfect confidence in his ability, his justice, and his patriotism.

We beg you, sir, to assure our fellow-countrymen, and the more immediate sufferers by the terrible tragedy, and the president, of these our most heartfelt sentiments.

We have the honor, sir, to be, very respectfully, your obedient servants.

BIRTHDAY OF WASHINGTON.

ORATION DELIVERED IN PARIS (FRANCE), FEBRUARY 22, 1866.

[THE Americans in Paris observed the twenty-second of February, by commemorative exercises in the American chapel in the rue de Berri. The religious portion of the service was conducted by the Rev. Dr. Lamson, of the American Episcopal Church, and the Rev. Dr. Burlingham, of the American chapel.—*Gallignani's Messenger.*]

COUNTRYWOMEN AND COUNTRYMEN:

Upon the banks of the Potomac, which for four years have been swept by the desolating storms of war, where tens of thousands of the bravest sons of the Republic have gone down in the shock of fratricidal strife, is one sacred spot in the presence of which War has forgotten its passion, and assumed, for the moment, the virtues of white-robed Peace.

A simple tomb there marks the place where Liberty has erected her chosen altar on this earth. Thanks be to God for that altar! Thanks be to God that every American heart that pulsates lovingly toward the Father of his Country—and whose does not?—may claim that altar for his own! Let us, on this day, with reverent step and worshipful feeling, approach it with votive offerings. Let us come as Americans, who still have one country and one destiny, and unite with our countrymen all over the globe, in acts of grateful commemoration. In this land, united to our own by the most cherished traditions, and which from mothers' lips we learned to love, let us unite in devout thanksgiving, that the Temple of Liberty

erected by Washington and his compeers, stands to-day, after its fiery trial, more firm in its foundations, more fair in its beauty, its portals thrown more widely open for the solace and refuge of humanity.

The modern history of our country naturally falls into three periods; each having its distinct idea, each having its struggle for the ascendancy of that idea, and each its own final victory in that struggle.

The first, the colonial period, beginning with the earliest settlements along the Atlantic coast, settlements prompted by the holiest motives that ever inspired human conduct,—the free worship of God. Religious toleration was one of the chief questions which agitated Europe at the close of the sixteenth and the beginning of the seventeenth centuries.

The issue made upon it was the “irrepressible conflict” of the time between the people and kings and hierarchies, which, though waged long and bitterly, ended at last, as must every conflict upon which the rights of humanity are upon the one side, and the authority of prescriptive power on the other. A partial solution of that question is to be found in the settlement of the Pilgrims in New England, and of the Huguenots in South Carolina.

That transition period, after innumerable perils, and struggles, and sacrifices, culminated in the second, of which Washington is the central figure. As the idea of the first was religious liberty, or the right of man to worship God after his own conscience, so the idea of the second was political liberty, or the right of associated man to live under governments and constitutions which had received his assent.

The Declaration of Independence, the solemn pledge of the thirteen colonies, of life, fortune and sacred honor,

to the cause, and the appeal from parliaments to the God of battles, introduced the era of the revolution.

To create a nation, was the purpose for which Washington was summoned to the military leadership. How well he justified that confidence; how, with a patience that never wearied, a watchfulness that never slumbered, a thoughtfulness that made him a felt presence wherever there was danger to be confronted or strategy to be foiled, he led the seven years' struggle to a successful end, the world knows by heart.

To the civil administration of the country, Washington, though full of a modest self-distrust, brought the same great qualities which had marked his military career. His advent to the chief magistracy occurred at a period when only consummate wisdom and commanding influence could save the new government from new perils.

The leaders of the revolution had come out of the conflict with opposing opinions, earnest as revolution always creates, which rapidly arrayed themselves into hostile parties. Yet Washington, by his prudence and by that greatness of character that awes even faction into duty, kept the storm at bay during his whole administration, until the new government had obtained solidity to endure the shock of parties for which his retirement was the signal.

Long before he bade adieu to the responsibilities of public life, Washington had taken his position in the esteem of the world as a character unequalled for those qualities which command the admiration and reverence of mankind.

That position broadens and strengthens with every succeeding generation. The orb of his fame, now in the mid heavens, will increase in lustre and in its power of attraction to the end of time.

Let us say, and it is to the honor of our race, that it is to the moral greatness of Washington, which crowned so regally his military and civic virtues, that this universal homage has been paid. Acting by the ordinary rules of human conduct, he would have deemed it legitimate to make his trusts instrumental to his personal aggrandizement. But wholly undazzled by public adulation, superior to every temptation which could influence personal ambition, he never swerved from the single purpose of his career, the triumph of the principles and objects of the revolution. Having secured national independence and peace, he withdrew from all public relations, refusing every solicitation to allow his grateful country to renew its tribute of affection and confidence.

There is one element of character which, whenever or wherever exhibited, however material or selfish may be the age in which it appears, never fails of popular admiration. Vice itself cannot withhold its tribute to a self-sacrificing devotion to the public weal.

"Look upward to the law, and not downward to your own happiness and wants," said Schiller, in his address to the artists whom he would teach how to realize their ideals.

It was the controlling principle of Washington so to "look upward," with no thought of himself, save to be clear in his great office. It is not surprising, when we remember how often military power and popular regard have created selfish aspirations, that his career should have changed, as it has been said to have done, "*man-kind's idea of political greatness;*" that it should have transferred human adoration from the material to the moral, from conquests of States and Kingdoms to the greater conquest of man over himself. It is sometimes said that the elements of greatness rarely appear, and

that an age is made heroic by a character who dies and leaves no successor. May we not take a more hopeful view? Rather, is it not true that there is a Divinity ever shaping human ends, and that whenever a nation's hour arrives, the man appears with it. A great man has been well said to be "the secret of God." Such a secret was hidden among us for fifty years. How soon after the opening of our late drama, in which thirty millions were actors, did we discover that Washington had a successor, now with him in the upper sky, to be forever his co-heir of fame. The field of God is richer than we know. Let us have faith in its timely blossoming and fruitage.

With the administration of Washington began the third leading period, the close of which, and the entrance of the nation upon a new career, constitute the last chapter in our national history. I do not forget the character of this occasion, but I should come short of your expectations, and of the duty your kindness has imposed, were I wholly to overlook the events which have culminated in the most stupendous conflict of modern times. Let us "with malice towards none and charity for all," briefly consider this last epoch in our history, and our present attitude to the interest and relations it involves. Let us review it with something of the calmness with which it will be studied by the future, and seek, if possible, the principle which underlies it.

If there be one controlling law of modern society, it is the law of social and political amelioration. To build better than they knew, has been the happy fortune of all reformers. When our fathers announced the proposition that all men were created free and equal before the law, with a "right to life, liberty and the pursuit of happiness," they announced a principle in advance of the polity of their time, and which to themselves might have

appeared rather a “ glittering generality ” than an absolute truth. Yet it was a principle which must sooner or later overthrow all our institutions not in harmony with itself, for it involved a political truth, and truth, though late, must be victor at last :

“ The eternal years of God are hers.”

While our fathers were justifying their revolution by this principle, they were holding their fellow-men in bondage, and afterwards protected by their organic law the institution of slavery. You know the history of the conflict which soon arose between the opposing forces, the free idea and the slave idea, which, with ever-widening circles, embraced at last every social coterie, every Church organization, every State legislature. Each new acquisition of territory became a new element of discord, and a new theatre of strategy and violence. You remember the efforts of great and good men to heal the strife by compromise, and the efforts of other great and good men to secure ultimate peace through a resistance of all the new claims and aggressions of the institution, insisting that there could be no lasting compromise between forces so hostile as freedom and slavery. The latter events of the struggle, are they not written in imperishable characters on the bosom of a continent ?

In adjusting the measure of responsibility for the causes of the late rebellion, we should not forget that our fathers were not responsible for the introduction of slavery into the country ; that it had taken root in the colonial policy of England before Christianity had its best development in institutions and laws. Let us be just to human nature, and recognize the further fact, that by degrees slavery had incorporated itself with every element of national wealth, political power and social consideration, through-

out the States recently in revolt, and while we hold it responsible for all the woes and all the crimes which have followed in the track of our civil war, while we abate not one jot of our abhorrence of the act of treason against a government which has scrupulously discharged all its constitutional obligations, let us remember that the history of the world affords not a single instance of an aristocracy of privilege coming voluntarily to the altar, either of patriotism or of humanity, to make a burnt offering of that privilege. There have been lesser, but ever reluctant concessions in obedience to an admitted principle, but the principle itself has been conceded only on the perilous edge of battle.

Man's regeneration has ever come as comes the Kingdom of Heaven, "by violence," "and the violent take it by force." With these facts in our view, are we not prepared to anticipate the verdict of history, that, wholly unprovoked as was our civil war by any interference with the constitutional rights of the South, it was not the wholly unnatural conclusion of the conflict between the principle of force derived from the pagan ages, and the principle of freedom reflected from every precept of our most holy religion.

Thoughtful men looking on from a distance, and outside the currents of passion, saw the foreshadowings of our just concluded strife.

"It is the first blow in a great civil war," said the late Sir Cornewall Lewis, when commenting upon the tragedy enacted in the senate hall, upon Senator Sumner, by Brooks of South Carolina. In a letter addressed to the same distinguished statesman by M. de Tocqueville, than whom our country and its institutions never had a firmer friend, after the presidential conflict in 1856, occurs this remarkable prophecy:

I agree with you that the results of this election must put the Union upon a course that must lead to civil war, and the men of the South threaten so great an evil, not only to their own country, but to all humanity, that the friends of America, and I am of their number, would desire their check, even at the expense of a new war, over those territories where war has long been unknown.

Philosophy was teaching these men by historic example, what we did not believe till we heard the booming of that fatal gun shotted for the walls of Fort Sumter.

For what purpose this review? To enable us to recognize the law of progress, and the method of Providence with great national wrongs.

Why should we expect to constitute an exception to the universal law? Why should we fail to see that when slavery, to resist the advancing tide of public opinion, and to extend and perpetuate its empire, made its appeal to the ordeal which has settled every great struggle between right and wrong, it only carried to its logical results that conflict which was "irrepressible," and which could end only by the voluntary or involuntary destruction of one of the forces. Religious intolerance, and the servitude imposed by the feudal system, have more than once gone down, not by voluntary surrender, but before armed opinions victorious in the battle-field. Let us not be amateur students of history. War has often been the great Assize of God, before which He has bid nations stand and answer for crimes against His justice.

Its fires have often been fires of purgation in which He has burned and consumed systems and institutions in conflict with His law. Yes; we have been re-enacting an oft-repeated drama, a drama ever attended by infinite suffering and infinite woe. Yet, while we realize the suffering and the woe, let us not forget that amid the war of

opinions, the convulsions of society, and the storms of revolutionary violence, humanity does not die, but with all her train of virtues, and all her symbols of power, moves onward and onward. Individuals perish, institutions are purified, man is disappointed, God is not cheated. Life issues from death, progress from apparent retrogression.

Sweet are the uses of political adversity. The precious jewel for us is to be found in that new charter of liberty which has invested four millions of our fellow-men with the priceless gift of personal freedom. Our institutions are henceforth to be homogeneous and in harmony with the divine law. The nation enters upon a new era. She has "cast off the old and wrinkled skin of corruption," and we seem to realize the vision of Milton, when, in a period of civil commotion, he looked behind the storm-cloud, and anticipated the future glory of his country :

Methinks I see in my mind a noble and puissant nation, rousing herself like a strong man after sleep and shaking his invincible locks! Methinks I see her as an eagle, mewing her mighty youth, and kindling her undazzled eyes at the full mid-day beam, purging and unscaling her long-abused sight at the fountain itself of heavenly radiance.

The evil spirit having been cast out of the nation, rending and tearing the victim as it went, we find ourselves in the midst of new questions, and new relations, demanding the highest wisdom and the calmest statesmanship.

Reconstruction, after so desolating a war overwhelming in its course all the deep-rooted systems and relations of labor in the South, and generating the bitterness and hatred inseparable from a civil strife, becomes the one-controlling duty of the day. The past we cannot heal; it is the living present with which we have to do. I will not

ask upon what political terms, for this is not the place for such discussion, but with what sentiments should we be prepared to receive again our Southern brethren to the fold of the Union? Having overthrown the cause which alienated us, shall we now needlessly strengthen and perpetuate the jealousies and animosities of the past? Or, shall we, remembering the spirit which united our fathers in the seven years' struggle for independence; remembering how much of the national progress has been a common pride, and is now a glory inseparable from every old State; remembering that we long followed and loved the same flag; that we now worship the same God at the same altars, and that friendship, and love, and every sentiment that beautifies the spirit of modern society, have made sacred innumerable associations between every generation of the North and South, from the revolutionary period down to the very hour that saw the sections in hostile array—shall we now be oblivious of that past, and refusing our hearts and our reasonable confidence to our brethren, sacrifice every common and sacred recollection upon the altar of Revenge? Shall we not rather sink both the god and the altar in the dust, and, invoking the spirit of Washington, and guided by his counsels, march with them, hand in hand, in this new and better era of the republic, to its great moral victories and its high destinies? Every worthy consideration seems to prompt us to meet the great body of our Southern brethren in the spirit of charity and fraternal kindness. It is the highest wisdom to adopt a social and public policy that shall secure a Union stronger than standing armies can guarantee—a union of common interests, common ideas, and common affections. If there be wounds which cannot be healed during the present generation, and this it is easy to suppose, shall we, by a vindictive and unnec-

essarily distrustful policy and bearing, keep them ever open and unhealed? Civil war has more than once proved a source of national strength and permanence, rather than of weakness and decline. The most solid States of Europe have been theatres of civil wars, never surpassed in their hates or ferocities. If there be a general harmony in their political and social systems, there is no animosity that will not, in time, yield to a persistent, wise policy. Such a policy England adopted towards Scotland, and the throne of Victoria has no firmer pillar of support than the northern portion of her kingdom. Many of her wisest statesmen, from Burke to Macaulay and Bright, have lamented the adoption of a policy of distrust in her government of Ireland, and at this very hour, imprisonment and exile are closing the first act of an oft-repeated and ever-menacing national tragedy. If by a vindictive policy we could recall to life the noble army of martyrs, who, on battle-field, in hospitals, and in loathsome prison-houses, have yielded up their lives in defense of the flag and the hopes it enfolds, we could find a motive for assuming the attitude of avenging conquerors.

I cannot here forget that the South, by its war of offense in behalf of the institution which had coiled its poisonous folds over its whole social and political organization, has already paid a penalty which might well touch with pity the heart even of revenge. I hear her Rachels weeping in every household, because their children are not; I see her fields desolated, her wealth dissipated, and herself disrowned of that sectional prestige and power which made her for sixty years supreme in the councils of the republic. When I see South Carolina among the first to acquiesce in the decision of war, making universal emancipation the new and corner-stone of her State

edifice, learning, though late, that it was not Fort Sumter against which she aimed her artillery, on that fatal April day in 1861, but the heart of the nineteenth century shielded by the buckler of God—I recur to a past when South Carolina, and Massachusetts, and Virginia were the triple cord of our colonial strength, when their sons stood shoulder to shoulder throughout that seven years' strife, when together they laid the foundations of our national edifice, cementing it with the blood of heroes, and I invoke the spirit of that sacred past to guide the nation's future.

I know how much the attitude the South shall assume during the period of reconstruction will have to do with determining the early or late dawning of the better day. It is the part of wisdom to accept the inevitable. Every generous sentiment and every motive of interest lead us to hope that:

“ those opposed eyes
Which like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in th’ intestine shock—
Shall now in mutual, well-beseeming ranks
March all one way, and be no more opposed.”

My countrymen, it is with a properly subdued feeling that we this day unite our thanksgivings that the prophecies to which for four years we have listened in Europe, of the certain downfall of our nation, have failed of fulfillment. We certainly have come out of the conflict somewhat wiser than we went in. We before knew that sentiment is not the inspiring principle of the policy of States; that modern government is quite a practical affair, and that there is very little place in cabinets for the play of sympathy; but it was a disappointing experience when we learned that men professing a deep sympathy for the cause of human liberty bestowed their

moral support upon a cause committed, before God and the world, to perpetuate the system of human bondage.

We now know all the conditions upon which we hold our national life.

"The gods help those who help themselves."

For the withholding that sympathy, which we thought it not unreasonable to expect, one reason was often assigned, and that, too, by powerful classes of men, which I would for a moment consider. It was this: That we were already too powerful, and that it was for the interest and safety of other governments that we should be broken up into several independent and rival powers. This we heard expressed most frequently and emphatically by the subjects of a power which, to use the words of our great American orator, "has dotted the surface of the whole earth with its possessions and military posts, whose morning drum-beat, following the sun, keeps company with the hours, and daily circles the earth with the continuous and unbroken strain of its martial airs."

What, we would ask, is there in the past history of our government, or in the character of our people, to lead our most unfriendly critic to fear we shall forget our duty as a Christian power and assume an aggressive attitude toward the world? Until 1861 we have never kept on foot more than the nucleus of an army, nor founded a considerable navy. All our territorial acquisitions have been by just purchase, or by treaties of cession at the close of honorable war. Our conquests have been the legitimate conquests of commerce and civilization.

The national hospitality has been extended to the people of every land and of every tribe. They have been invited to the freest competition with our own citizens in the struggle for well-being, for social and political consideration. The hungry of Europe have come to our gran-

aries and been fed. Their landless have gone by millions to our prairies and are now lords of the soil they till.

With no narrow policy of non-intercourse, we have poured our wealth into the laps of the manufacturers of every article of utility, of grace and luxury under the sun. During the period of a necessary economy while prosecuting our war, Europe realized a crisis which her poor, let me say, met in a manner that reflects the highest honor upon human nature. With the close of the war, trade has resumed its normal relations and, if you please, its normal extravagance, and the looms of Lancashire and Lyons and the forges of Sheffield are jocund as the morning, and there is not an artisan in Europe who does not now greet wife and children with a lighter heart as he meets them on his return from his daily toil. It is true we have realized the prophecy of an old poet, that the star of empire "should westward take its way," but our advance has been led by the pioneer and not by the soldier. We have taken to the wilderness the arts of civilization and not the enginery of war. There is not a settlement made by our people between the Mississippi and the Pacific, whether of agriculturists in Oregon or of miners in Arizona and California, where the school-house and Christian church have not preceded the comfortable abodes of the settlers themselves. What is there in such a history that should lead to so unfriendly apprehensions? The grosser civilization of Rome, fostered by the spirit of a military age which made a deity of force, might well inspire a Virgil to utter his semi-barbarian rhapsody—"Thy work, O Roman, is to rule the nations, to impose the terms of the world's peace, to show mercy to the vanquished, and to crush the proud."

Nothing is more foreign to our traditions and our practice than such an office. Non-intervention in European

questions was the corner-stone of Washington's foreign policy, and has never been departed from. Within our own time we have seen the national enthusiasm kindled into flame under the inspiration of an eloquence as enchanting as ever interpreted the wail of an expiring nationality. The mission of that eloquence was to overthrow the settled policy of the country, and to persuade the government to launch out upon the sea of republican propagandism. You remember the few cool, wise words with which our government announced its purpose—adherence to our traditional policy—and how perfectly it was sustained by the judgment of the country.

We would suppose that our critics would have learned by this time that, while the people of the United States will not stifle their sensibilities when moved by any of the great events which are transpiring in any part of the world, the mission of its government is peace, from which it will never be diverted except to the defense of its rights, its honor, or its life.

War sometimes demoralizes a nation, and, if successful, inspires a love of conquest and a thirst for revenge. We would ask if war has generated in the national spirit the lust of empire and dominion? What higher proof could be offered that our conservatism cannot degenerate into popular licentiousness than we have given, from the moment the success of our arms had secured and maintained the object of our one great love, the Union, with all our hopes of individual happiness and national development bound up in that Union?

The world saw a triumphant army of more than one million men, long led by tried and loved commanders, almost in a day dissolve, and, without tumult or disorder, melt away and resume their place in the ordinary employments of peace. It has seen those military leaders, when

flushed with victory, and everywhere hailed as saviours of their country, yielding as readily as the humblest soldier in the ranks to the authority of the civil power. Obedience everywhere, inordinate ambition nowhere. More than this. It has seen organized assassination holding its ascendant hour in the nation's capital, and a chief magistrate, whom the country loved as a friend and revered as a father, stricken down to death by the too successful conspiracy. It saw the venerable chief minister of State, who with peerless hand had upheld the dignity and honor of his country through all her foreign perils, and during the most difficult and delicate period of our international relations, a victim of the same conspiracy, yet saved to his country by a Providence hardly less than miraculous. And this, too, at a moment of national triumph and rejoicing, and with every attendant circumstance that could aggravate popular passion. Was not here the occasion for revolution and anarchy, and for a wide, implacable, unreasonable and unreasoning revenge?

There was a shock, but it was purely social, not political. The ship of State, under the guidance of an able hand trained in the practical school of the republic, and brought to it by constitutional provision, moved calmly on, with conscious strength, yet not in pride or in presumption. So it still moves.

Still another spectacle has been afforded to the world of the temper of the nation. After a four years' civil war that counts its dead by hundreds of thousands, a generous and almost universal amnesty has been extended to political offenders, and not a drop of blood has been shed for the crime of treason, while States which shot madly from their spheres are rapidly resuming their normal relations in our political system.

It is in no vainglorious spirit that I adopt this strain of remark. Circumstances have recently placed the country we love prominently before the bar of the opinion of mankind. We cannot be wholly insensible to that opinion; and when it is candid opinion, and not prejudice or passion that distrusts us, we will canvass, and, if allowed, we will enlighten it. When we trace the history of our country from its humble beginning to its present moral and material development; when we think of it as the land of promise to the poor of the overcrowded States of Europe who ask only acres and the right to labor, and the protection of equal laws; when we consider its physical conformation, its sky-piercing mountains and its noble rivers, reversing the law which has elsewhere sometimes obtained, interposing to make enemies of States,

“ who had else
Like kindred drops been mingled into one,”

with us becoming elements of commercial unity and political fraternity, we can but feel that our nation has a providential mission, and that a mission of good and beneficence to the world.

There is a noble civilization in Europe, the result of centuries of development, sometimes by the arts of peace, and sometimes through the sterner discipline of war.

Each great power has its distinctive character, which it has impressed upon its literature, its laws, and its institutions.

They have all marched to their opportunity. Not less faithful to our trust, we accept the omens of our present, and enter with hope upon the fuller development of our American civilization.

Let us consider for a moment the higher advantages we possess for that development, since the only disturbing

force which has so far appeared to menace us is now a thing of the past. For, with the exception of the slave question, there has never been in our national politics any more heat or bitterness than are incident to every State free enough to admit the struggles of party.

And it would be difficult to name an angry controversy in Church or State, during the last quarter of a century, whose fires have not been kindled and their fuel supplied by the slave question. It has been the one evil genius of the country, an unbidden guest at every board, pouring its poison into every cup presented to the fevered lips of the nation.

Henceforth, our institutions are to be homogeneous, and neither individual character nor State character is to be educated under the influence of the baleful star of slavery.

I do not know, nor do I pretend to fathom, the future of the African in America. I only know that my government will see to it that he is protected in his life, his liberty, his property and his family, without which his emancipation is but a mockery. I know that the Christian charity and benevolence of my countrymen, acting in harmony with the public policy, will see to it that he have provided the means of secular and religious education. The negro will have what every American asks for and has—a fair chance in the competitive race of life. Whether he be so normally inferior as those who distrust his adequacy to his new responsibility, insist; and, being so inferior, he shall, in obedience to a law that has more than once vindicated itself, give way to the superior race, and in the course of years be superseded by a more vital force than his own; or whether, as every proper feeling leads us to hope, he shall, when so cultured and protected, exhibit that industry, thrift and force of character which will enable him to

become a recognized power, and to rise with the ever-advancing tide of activities and necessities, I leave to the future to determine.

Whichever hypothesis may be the true, the emancipation of the race has not only redeemed us from our greatest reproach, but it has lifted labor, where the system of slavery obtained, from degradation to dignity, and has made it a regenerative instead of a depressing force. This single fact will create in time what has been the sad want of the South, a want lamented by all her early statesmen, and without which she could never obtain her truest development.

No State can in this age of the world be a great moral, or long a great material force, in which the people are not a power. You may have an aristocracy whose vices are almost concealed by the splendor that dazzles, and whose virtues are magnified tenfold by the Patrician courtliness that surrounds them, but if there be no people, no great middle class constantly to supply what decays above and to furnish new fertilization from below, your fabric will, sooner or later, dissolve by its own inherent principle of decay. The era of the people began in the South with the emancipation of the slave, and with the consequent restoration to labor of its dignity. Let the South not fear this new element. There is health in it and not disease, there is strength and not debility. The emigration which it invites will come to cultivate her fields, to develop her mines, and to give to every pursuit the guidance of intelligent industry. It will bring with it education, religious and charitable institutions, a wholesome competition for all the prizes of life, yet ever subordinate to the laws of legitimate authority. The South will realize in time that "the heart of the citizen is the perennial spring of energy to the State." Her five hun-

dred thousand slaves capable of bearing arms, who she supposed had created a new king, before which European cabinets should bow and people pay homage, became the element of her greatest weakness in the hour of trial, and their cotton king was discrowned in a day, and its jewelled robes trampled under the feet of the noble representatives of European labor. The slave had no interest in the State, but a positive interest in the overthrow of the system that made him a bondman, and he could not be trusted.

Surely the experience of the South will lead her to accept the new relations of labor and the new competitions of skill, of talent and enterprise, and the necessary accompanying results to all her economies.

We have attempted to build our civilization upon the idea expressed by the Divine founder of our religion: "One is your Father, and all ye are brethren," an idea wholly unrecognized by the civilization of the pagan world. Rome was a mighty force, but, for the most part, coarse and material. A glimpse of the idea of the brotherhood of the race caught the vision of one of her poets, who sang that, being a man, all that was allied to humanity was kindred with himself, but the vision was never realized in Roman institutions. With all the taste and culture of Greece, and all her humanistic worship, she never compassed this idea, and her philosophy vainly aspirated to lead man to the highest truths, and so to place human laws and systems in harmony with the Divine. We can maintain our institutions only by adherence to this Christian principle and by fidelity to the duties it involves. It must be the key-note of our political system, the inspiration of all our institutions. We are now passing an ordeal not new, but which every commercial State of antiquity and of the middle ages, failed

to abide. The shores of time are lined with the wrecks of States once devoted to commercial aggrandizement.

Never was an age more absorbed in material pursuits than the present, never was a stronger or more universal passion for the wealth and luxury that tend to enervate as well as adorn.

What are we to do with it? What is it to do with us? Is history to repeat herself? Or can we, folding about us our robes of complacency, and looking the stern sphinx in the face, read a promise that corruption shall not touch us, and we may safely build our Babels to the stars! With all its material features, the present, I believe, affords the grandest and noblest spectacle of human activities ever witnessed in any period of the world. But it needs the inspiration of the principle I have stated as the underlying one of our political system, or history will repeat upon us herself.

Commerce—and I use the term in its broadest sense—wedded to humanity, is the greatest regenerating force created and wielded by man. When the State binds the heart of the citizen to itself through his interest and his affections, and when its voluntary institutions recognize the claim of humanity, when commerce through those institutions reaches its strong hand down to the weak to support them, to the fallen to raise them, to the struggling to aid them, to the diseased to heal them, to the wronged to vindicate them; when society, so inspired, represents, not a mighty Juggernaut crushing whatever crosses its pathway, pitiless and remorseless, but a beneficent spirit of charity and good will, of fraternal sympathy and love, it preserves its purity by its activities, strengthens its power by its ever renewed and renewing forces, and must abide, for it is built upon a rock—the justice and charity of God.

On this commemorative day, which recalls so vividly the history of the land we love, its early struggles, its immortal heroes, its later conflicts and its new career, we cannot, we would not, forget the sacrifices which have secured us the joy of this occasion.

There is no human sentiment so strong as love of country. It has made the heroic ages of the world. Patriotism has made our age heroic. Everlasting honor to the brave men who, answering the call of country, offered their lives for its defense. Our marble monuments to the memory of the fallen will crumble to dust under the touch of time, but the monuments erected in the grateful hearts of their countrymen, shall be eternal.

Let us never forget the debt we owe the living who have survived the perils of battle, and let us ever remember that the soldier's widow and orphan are the trust of the nation.

Countrymen, I know whither your thought is now leading you. My heart is beating with yours in sympathy, as you recall to memory the last martyr to the sacred cause of freedom.

There is a classic legend of a father, whose absorbing love of his sons prompted his prayer at evening that the gods would bestow their choicest gift upon the idols of his heart. In the morning, for such is the legend, he found the answer to his prayer. His sons were locked in the embrace of death. This was Heaven's choicest gift.

The gentle, the great-souled Lincoln, entered upon his apotheosis at a period and in a manner which seemed to his countrymen who loved him an unnatural and cruel Providence. Let us believe that his death, viewed from a higher range of thought, was the choicest gift Heaven could bestow upon the nation's second father. It was fitting that he should add another name to the

very, very few, who have been permitted to redeem humanity, and to sanctify it by the martyr's sacrifice.

Already he has taken his place in the hearts of mankind, by the side of him whose natal day we commemorate. Ages hence, the generous and the true will read his story with tears of loving sympathy, and go forth with braver hearts to battle for the right. From the upper sky his spirit waves us on. Noble martyr! We accept thy guidance, and enter with hope and trust upon the regenerated era of the republic.

THE CHINESE EMBASSY.

RESPONSE TO THE FOLLOWING SENTIMENT, AT A BANQUET IN THE CITY OF NEW YORK GIVEN TO HON. ANSON BURLINGAME, MINISTER FROM CHINA, AND HIS ASSOCIATES, JUNE 23, 1868.

An Intelligent Diplomacy recognizing the Universal Brotherhood of Men, and Equal Justice to all Nations.

MR. PRESIDENT AND GENTLEMEN:

I thank you for the honor of a call to respond to a sentiment which this occasion so naturally suggests.

Ours is an age of progress. And of all the progress which modern time records, involving the advancement of liberal ideas and more just international relations, I recognize nothing so potential, so full of hope and cheer, as that diplomacy which, if our government did not originate, it certainly has commended to the world by the most illustrious examples and the most brilliant success. I trust the time is fast approaching when the whole Machiavellian school of maxims relating to international intercourse will be superseded by the principles of equal justice to all men and to all States. For centuries the diplomacy of Europe was a system of strategy and violence; and international law was practically the will of the strongest—that will the inspiration of commercial cupidity and the lust of territorial aggrandizement.

During the progress of our civil war, I read in the London *Times*, an article discussing the “Trent Affair,”

these significant words: "It is true we have in past times, as a nation, done many wrong things, but we were always able to fight them through."

The policy thus boldly acknowledged has been the world's direst curse. It has deluged Europe and Asia with blood; it has again and again annihilated weak and independent States, and erected in the center of more than one colossal empire, a government of force, regardless of every sentiment, regardless of every principle except its own absorbing, crushing, devilish ambition. Thanks be to God, there is another school of international ethics! And I think it a just matter of congratulation that our government has given to the world some of the best practical expositions of that better doctrine.

The stream will rise no higher than the fountain. If it take its rise from the low level of human passions, we may expect wrong and violence. If it take its rise from the fountain of Eternal Justice, we know that it will bear on its bosom that central truth of religion, the universal Fatherhood of God, and that vivifying principle of all just politics, the universal brotherhood of men. It will lead to that law to which Cicero paid homage, which is not one thing at Rome, another at Athens, one thing at New York, another at Pekin, but at all times, and among all nations, the same, immutable and eternal.

When I consider the more recent diplomatic action of our own government upon matters involving the internal security of a power with which we are now, happily, at peace, and with which I devoutly hope and pray, we may never have occasion to war—a power which we believe has given us grievous cause of just complaint—when I see that our government has covered the head and whole body of that power with coals of fire from the furnace of char-

ity and good will, I recognize the dawning Millennium of States.

And when I see our representative to a people that constitutes a third of the human race—a nation that dates its history back to a period coeval with the earliest nations—a nation distinguished for a civilization that has flowered into great domestic and public virtues, and whose ethics, associated with names that rank among the greatest and noblest of all ages, command the respect of mankind, yet a civilization that has preserved for centuries an isolation as absolute as it is anomalous; when I see that representative, not at the head of armies or of navies, not with strategy or menace, but by the power of intelligent persuasion, by the presentation of those principles of international comity and justice which reason approves and religion enforces, accomplishing incalculable practical results for their good and the good of the western nations; I see beyond the dawn, I recognize, high advanced, the blazing day of the International Millennium.

And, my friend, your distinguished guest, will allow me to hail him as the priest of the new era, who, with the golden ring of peace, has wedded the time-hallowed civilization of the East to the fresher and more elastic civilization of the West. He has levelled the walls of China by one touch of the wand of national fraternity; and China is here, conquering us by conquering our prejudices, enlarging the boundary of our sympathies, by realizing to us anew that God has made all nations of one blood, and that of them all, He is the beneficent Father.

Mr. President: I honor my country for a thousand considerations which inspire us all with a never-waning love. But I am never so impressed by her moral grandeur as when, in negotiating with other States on questions

that naturally excite popular passion, she refuses to plant herself upon a policy inspired by revenge: I honor her most, when, firmly demanding justice, I see her bearing offerings of peace in her hand, while in her heart she cherishes and obeys that precept of the skies, "Do unto others as you would that others should do unto you." There is contagion in the example of justice. My thought is suggestive of the true mission of American democracy.

THE BIBLE SOCIETY.

ADDRESS DELIVERED BEFORE THE BUFFALO AND ERIE COUNTY BIBLE
SOCIETY, JUNE 19, 1870.

IN my few words I shall leave the strictly spiritual side of the Bible question to the professed teachers of Christianity, and shall confine myself to a purely practical view. The Bible Society proposes to distribute among those destitute of the Scriptures, what Christendom accepts as the revealed will of God to man. This book furnishes us a summary of human duties in all personal and citizen relations. More and higher: it assures man of his own immortality—it teaches him there is a God, that he is a subject of His moral government; a government that bestows rewards for obedience, and inflicts punishments for disobedience. More comprehensive than all civil codes, it furnishes in a few general principles an infallible guide to right conduct in every private and public relation.

The first secular object is the security of private rights, and the peace and order of society. Property is a conservative force, but religion is a greater, for it tends to subordinate human cupidity to the sense of moral obligation. Our age has pre-eminent need of that conservative power—and never were political institutions more dependent upon it for pure and beneficent action than are ours. A nation of perfect equality of all its citizens before the law—a nation which in its youth finds half of earth at its feet, and fresh springs of wealth bursting forth every day

and on every side, intensifying every energy of its people, it finds itself tending with fearful velocity toward material gratifications, and to a laxity of principle in its social and business life. I am not a grumbler against the age. I know too well its good, its benevolences and sympathies, its alliances with ideas and institutions that seek the elevation of the degraded and neglected, and to restore the divine image where it has been marred by social and political wrongs in classes and in races, to speak its ill without ample qualification. But the very freedom we enjoy, and the facilities for accumulation and the greed they create, tend toward materialism in our gratifications and in speculative thought, and towards license in individual life. How is all this intellectual and physical energy to be placed under the restraints of the only force that can control it—religion? Roman Catholicism attempts the solution by denying the right of private judgment in all matters of religious faith and practice. It resists the tendency of the age toward individualism by an uncompromising war upon its spirit, certain to be followed by a reaction that must immensely weaken the Papal authority. This age will not wear chains whether imposed by Church or State. There is, too, an element in Protestantism that favors this tendency to which I have alluded. For Protestantism in its broad sense, a sense that grows broader and broader every day, is the exercise of the right of private judgment, and the freest action on every question affecting religious opinion and observance. They who suppose it to be a mere question of dogma between Rome and Luther, utterly fail to comprehend the philosophy of the religious revolt of the sixteenth century. Protestantism, in the practical sense which this age has adopted, is the right of challenge of all old interpretations of truth, and of all old forms of worship. This has undoubtedly

tended to weaken that clerical influence which in our earlier history was so valuable an element in society. For it certainly is a great public gain when a body of men, learned, upright, seeking not their own, but the best good of others, have pre-eminent influence, an influence of character, on moral and social questions. But in this age of individualism and of an iconoclastic democracy, you must find your chief conservative force in the moral sense and religious character of the citizen.

. As other moral influences grow less, that of religious education must grow more and more. Liberty and religion are inseparable. It is impossible to maintain democratic institutions, unsupported by a moral power in society which flows out of a belief in God and the soul's immortality—in short, unless you resist the licentious tendencies of the age by the religious sentiment. I care not what may be the material acquisitions of the country. You may cover the land with railroads and factories; your ships may girdle the globe; wealth and luxury may flow in upon you in flood-tides from field and mine, but in the absence of the religious sentiment, your godless civilization will be inspired by the worst elements of character and the worst passions of men. That civilization gives the control to the lower part of man's nature, and centers all thought on to-day. "Let us eat and drink, for to-morrow we die," is the fit motto of all Epicurean life. A few may resist the tendencies of such a philosophy, but the mass of men will gravitate downward, where their sole deities will be an absorbing egotism and a degrading sensuality. Without reverence for the good; without a sense of moral obligation based upon the conscience, which is the voice of God in the soul, what hope is there of the preservation of anything sacred or truly valuable? Consider for a moment the obligations of

modern society to Christianity. Its entire organized benevolence and charity are its immediate outgrowths. The education of Christendom in the true spirit of the founder of our religion has been slow—very, very slow; but so far as it has gone it has produced its legitimate results. We are indebted to it for every law; for every institution; for every public sentiment that has done anything, whether much or little, to elevate the condition of the poor, the wretched and the criminal. The doctrine of the fraternity of the human race, and of the universal fatherhood of God, and their illustration by the parable of the good Samaritan, has founded every charitable institution in Europe or America. They have abolished slavery; they have opened the doors—never, I trust, again to be closed—of the honest debtors' prison; they have ameliorated the once-barbarous criminal code; they have turned many haunts of infamy into schools of secular and religious education; they have cast out devils from millions of depraved souls; they have imparted to modern society its purest grace and divinest charm. They have not yet done all which is their office to do, but what is accomplished is their trophy, and what will be accomplished will be the result of their inspiration. All this, and much more, we owe to the Christian type of the religious sentiment. Shall we cherish that sentiment and maintain our Christianity, with its lessons of love to man, and love and homage and obedience to God? For we must be Christian, or, religiously, nothing. We shall exchange it for no other system. Interpretations of metaphysical systems of theology will change, as they have changed; but this is of little consequence; it is the spirit we must preserve. Outward types of religion reflect their eras. Christianity has passed through the phase of asceticism, and once found the outlet of its enthusiasm in the Crusades. Our

own age is one of transition, as might be expected from its absolute freedom of opinion and its aggressive intellectuality. But let none take alarm while the spirit of Christianity is maintained. That spirit must be maintained. And how? I answer, by religious education of the people. This is largely left to the pulpit; but how far short is the pulpit, as now organized, of the public exigency! How few are the sittings in Protestant churches compared with the nominal Protestant population; and how prodigiously at fault seems our system of pulpit instruction! Look at it. We build churches for \$100,000 or \$200,000 to accommodate one hundred or perhaps one hundred and fifty families. We open them, practically, exclusively for those families, three hours in the week, and then close them for seven days when we open them again for the same families, during the same three hours. I think we might learn something from another branch of the Christian communion, in this connection, whose church doors are open from early dawn to night-fall, not only on Sunday, but almost every day in the week, imparting its instruction during some hours of the Sabbath to almost its entire population. Every religious movement is, or ought to be, educational, and the Bible Society is an educator of the non-church-going classes. I have as little Bibliolatry as any man, and do not believe an unread Bible in a house will operate as a religious charm. Doubtless much of the society's labor seems lost, but this is nature's law, who of fifty seeds "often brings but one to bear." We may as well understand early, that the religious education of the advancing generations is to be voluntary. We shall find the State more and more confining its system of education to the purely secular. It will tell you in the end, that the State, in its political character, is neither Christian, Pagan, nor

Jew; that it will tolerate all religions and forms of worship; but that systems of religion it will leave wholly to the domain of individual and ecclesiastical action. That it will form no alliance with sects; that it will wound none of the consciences, enlightened or unenlightened, of any portion of its citizens, by forcing upon them offensive religious interpretations or dogmas through its schools; and will lay no tax upon the general wealth to educate one class in a form or system of faith offensive to another. That it will obey the logic of its political institutions, whether it disappoint the cathedral or the chapel, the plain robe of Fox or the mitre of St. Peter. While the State will leave to voluntary action the purely religious education of the people; and while sects, who hold common belief in God, in man's responsibility to His government, and who accept Jesus as their spiritual teacher and guide, and the inspiration of all that is pure in individual life and all that is noble and sublime in our civilization, will advance, in all legitimate methods, their peculiar dogmas and forms, there is a sphere in which all Protestant sects can harmoniously co-operate. Your society is that sphere. It may not be perfect in all its methods, but that the distribution of the whole or parts of the sacred Scriptures, is one of the best methods of popular religious education, I entertain no doubt. There is little absolute perfection in human institutions, and if our intense Protestantism has incited a license in matters of religious faith which we could wish were more self-restrained within the limits of hereditary thought, we have to congratulate our era upon a broader toleration, and charity and kindness among Protestant Christians of every name, rendering easy and delightful, co-operation for the advancement of morality and religion. The age has learned that the spirit is higher than the church ceilings, and broader than the church walls; that it penetrates

beyond the stars, and carries the universe in a corner of its bosom. The Procrustean bed of ecclesiasticism in Protestant Europe and America has long been broken. Rome is now engaged in recasting her iron standard of opinion, in the belief that it can stretch upon, and fit to it, the spiritual and intellectual life of the nineteenth century. It might as well attempt by Ecumenical decree to put out the light of the sun.

The object of this society is popular education in the system and ethics of Christianity. If I were addressing the parent society I would make a suggestion, which I will take the liberty to hint to you.

You are engaged in a campaign against immorality and irreligion. The Bible is your campaign document. As your only document, is there not too much of it to secure general reading? A large portion of the Old Testament is historical and somewhat repetitious—while portions of the New are devoted to the development of a theological system which requires the study and maturity of ripe years to comprehend. This is an age of pamphlets. If a free trader would convert a man to the doctrine of Adam Smith, he does not send him "The Wealth of Nations," for he knows he will not read its multitudinous chapters, but he will supply him with a pamphlet in which is condensed the system. Such are now the tactics of every school of social and political reform. The Society, I think, should popularize their method, and supplement the Bible work by publishing in pamphlet form the more important portions of the Scriptures. To illustrate: The Gospels of Matthew and of John and the Book of Proverbs could each be made such a pamphlet. The Sermon on the Mount, the most perfect summary of human duties ever given to the world, could form another. The parables of our Lord—and particularly that of the prodigal son and of the good Samaritan, and some of the most striking inci-

dents in the history of Jesus—could form another. How easy it would be to make several such pamphlets, adapted to every age and condition, which would be sure to attract the attention of the most indifferent.

A tract composed of the parable of the prodigal son, and of the incident, beautiful and touching beyond all poetic dream, which has of itself made a new era in the history of fallen woman, that narrated in the first verses of the eighth chapter of the Gospel of John, with the Master's few words of sympathy, "Come unto me all ye that labor and are heavy laden, and I will give you rest," I believe would be as a life-boat to multitudes of the world's wretched and lost—who would never seek or find it in the bulky volume of the Scriptures. There is another field, ever white for your harvest—the youth of the country. The sentiment of love and the principle of duty, presented in this method, will fall on young hearts like the gentle rain from heaven upon the place beneath. Strike, I say to you, for the children. There you have no occasion to create a religious sensibility, or to put an appreciative soul under the ribs of moral death. God has not left his work so wretchedly unfinished; it is we, who have outlived the simplicity of the kingdom of heaven, and have marred the divine image by forbidden contact, who are so unmoved by that divinity which breathes in every word and act of the Master. Adapt your work to the modern conditions of society, and if the age accepts with less readiness than former ages inflexible metaphysical systems, the interpretations of fallible men, impress upon it the spirit of our most holy religion, love to man and love to God, remembering His words at the well of Samaria, that neither at Jerusalem nor at Gerazim were men to worship; for the temple was nothing and the altar was nothing, but that God required all men, and everywhere, to worship Him in spirit and in truth.

YALE COLLEGE.

REMARKS AT THE RECEPTION BY BUFFALO GRADUATES OF YALE TO
PRESIDENT PORTER, DECEMBER 28, 1876.

MEN OF YALE AND CITIZEN FRIENDS OF YALE:

This occasion is as delightful to us as it is unique. The Buffalo resident graduates have heretofore taken some steps toward forming an organization which should have occasional social reunions. Unfortunately that good purpose has never fruited as it ought. With at least a half-hundred resident graduates in Buffalo, every one retaining, I am sure, a deep interest in the prosperity of *Alma Mater*, this is, I believe, the first occasion of their reunion.

I congratulate you, gentlemen, and I especially congratulate you that at this first reunion we have with us as our guest, the college friend, teacher and guide of many of us, the scholar and the man who has given added lustre and increased renown to an institution which for more than a century has been a principal educator of American youth, and whose' line of illustrious presidents is a part of the glory of the nation.

President Porter, in behalf of the Buffalo sons of Yale, and in behalf of your Buffalo citizen friends here, I bid you welcome to our city and our homes. If, after the European form, we cannot give you the freedom of the city, we can do a great deal better—assure you the possession of our highest respect and the homage of our hearts.

The college days of some of us were under your administration; of others, under the administration of that accomplished scholar, that profound publicist and patriot whose setting sun grows more and more resplendent as his days go on, ex-President Woolsey.

There are a few of us who gratefully remember it was our privilege to sit at the feet of Jeremiah Day—*clarum et venerabile nomen.*

I can assure you, sir, that all the sons of Yale now before you, from the oldest to the youngest, retain their first love, and are desirous to learn from you that our venerable mother is in health and strength, and is preparing to meet the just demands of the age for a higher education, for an education that reaches up and reaches down, and compasses the whole globe of liberal learning. We know that the routine systems of fifty or even twenty-five years ago, do not meet the wants of our time. We rejoice that Yale has recognized this change by the creation of new departments, and by imparting a somewhat more eclectic character to her methods of education. We know better than to look to her for rash revolution. We know she moves cautiously that she may move wisely, but we know she moves.

Gentlemen, it is hardly possible to over-estimate the influence of such a seat of learning as that which fills our hearts to-night with the reminiscences of the generous rivalries, and the severe studies of our college days. It is within the lifetime of our honored guest that Sydney Smith asked, to illustrate a historic truth: "Who reads an American book?" The question may now be put in its negative form. "Who does not read American books?" There is no department of science, of philosophy, or metaphysics, or of general literature, no school of theology, political economy or social science, which

does not reckon among their ablest representatives the scholars trained in our New England universities.

"Peace hath her victories no less renowned than War."

And the great triumphs of peace, triumphs which have ushered in the better civilization of our time and crystalized its best institutions, have been under the leadership, in the main, of the trained scholars of the country. I would not undervalue the services rendered in all these departments, by men of thought and self-culture who have made themselves leaders without the aid of university training. But I know they would be foremost to recognize the general truth of my proposition: In all these departments we rejoice to know that Yale has discharged the obligations imposed upon her as an American educator.

She may say, not with the dejected tone of Virgil's hero as he surveyed the symbols of the ruins of Troy, but with just maternal pride, *Quae regio in terris nostri non plena laboris?*

But I will not longer detain you, but close by renewing the words of welcome to our distinguished guest.

P U B L I C C H A R I T I E S .

ADDRESS DELIVERED BEFORE THE BUFFALO CHARITY ORGANIZATION
SOCIETY, JANUARY 9, 1879.

THERE seems to be no form of social organization exempt from popular evils. When the French Academy offered its prize for the best discussion of the question, whether the civilized or the savage condition of man secured the most happiness to the human race, Rousseau defended the savage state, and reasoned himself into the belief that civilization had been a curse rather than a blessing to mankind. With that sentiment we of course can have no sympathy; but it is certainly true that the commercial and industrial methods of our time have attendant evils that require patience, charity, sacrifice and co-operation of the best elements of society, to prevent them from becoming destructive of the very civilization whose shadows they are.

We would naturally suppose that in these United States, where the average population to the square mile is less than in any country on the globe except Russia, with an almost boundless West for the surplus overflow, poverty and consequent dependence on the public for charitable relief would be almost unknown. But it is a fact that pauperism and the evils associated with it are assuming frightful proportions among us, and to a certain extent are the outgrowths of our industrial methods. I will not speak here of intemperance, a fruitful source of poverty and crime, but will refer to that feature which has massed nearly two-fifths of our population in cities.

The last twenty-five years have for the most part built our cities, and that enterprise alone would gather in these centers a large working population.

Besides this, most of our manufacturing—the great iron establishments and other leading occupations which employ hand labor—are carried on in the cities, to which artizans and laborers have been invited. It has been a passion with us to build up manufacturing towns, and to concentrate in them the labor of the country. This is very well so long as the world can absorb the results of all this industry. But when, as during the last five years, the world becomes glutted with the products of human labor, and it can no longer absorb them, then follow shrinkage of values, loss of capital and wages, the closing, in whole or in part, of establishments, and the throwing out of employ a large percentage of the wage-labor—a class whose pursuits do not seem to favor frugality and careful preparation for the wet days of the future. Ought we to be surprised that temporary relief of more or less of these cases should be a necessity? Ought we to be surprised that there should be many who lack the strength of character to resist the demoralizing tendencies of forced idleness and poverty, and that, too often, losing hope and self-respect, many should be found to swell the list of chronic paupers, or the vagrant army of tramps? There is another reason why the needy entitled to help, or the shiftless too lazy to work, prefer to be fed by public bounty, seek the cities. There wealth is concentrated; there are many charitable organizations ever responsive to the calls upon public and private benevolence. There, too, the public have a vast official relief machine where much is left to individual discretion, hampered on every side by personal or partizan relations which will try the

severest virtue, and which tend to make it the victim of favoritism, imposition and fraud.

Hheretofore, the cities, by working this great machine, and by the habit of indiscriminate private giving without any co-operative action by citizens, without any scrutiny of individual cases, without any general system which would reveal the worthy and expose the unworthy seeking aid, our cities have offered premiums for beggary, and become hot-houses of pauperism, unthrift, and every form of vice which is their legitimate outgrowth.

We may calculate that a certain amount of pauperism is incident under the best possible system of poor-laws and relief organizations, to our town life. How to make it least onerous to society, and least mischievous in its general influence, is a question now pressing for solution. The first thing to be guarded against is so to organize and administer relief as not to make pauperism easy, comfortable, and a business promising better to the idly-disposed than systematic industry.

Any one who shall take the trouble to examine the statistics of poor relief in this city, will find that there is a class of chronic cases who for years have not only been provided for by the public, through their poormaster, but have also been in the habit of systematic private begging, and of appeal to churches and other independent organizations, each one of which sources of relief had supposed that it alone supplemented the applicant's means of subsistence.

It is easy to see that this practice tends directly to make a regular profession of mendicancy. It demoralizes the relieved, tends to lessen self-respect, educates the children of the family in the same habit of life, and so creates in our midst a distinct profession of paupers, with neither purpose nor desire to rise above its dependence.

They soon come to look upon the public and these sources of charitable support as quite as reliable as systematic industry. They are "dead beats." It is manifest that this class of paupers can be checked in its abuse of the public sympathy only by some system which shall make known their names, their residences, the persons and organizations which aid them, and which, by its revelation of their actual needs, can prevent that abuse, and so compel them to be self-supporting to the extent of their power. This, society has a right to require.

The old system I have briefly considered works unhappily in another respect. When the public organize a great system of charity under our poor laws it gives relief to parties as paupers and not as men and women. There is little contact, except in a perfunctory way, with the needy, no education of the subjects of this machine-charity to better methods of living, no help to cultivate self-respect. They are treated as needy hangers-on to the skirts of society, who require so much food and fuel and other necessaries, from whom little is hoped and less expected. So the relieved come in contact with the pocket, but not with the heart, of society, and this involves a loss to both. Charity should be an educating process. "Go and see how the wretched feel," is the advice of the great English moralist, who has also formulated the highest social truth in a single line :

"One touch of Nature makes the whole world kin."

That "touch of Nature" is sympathy. That charity which is dissociated from personal sympathy, digs a chasm between the needy and well-to-do classes, and tends to breed mutual distrust and antagonism rather than kindness and respect. There is nothing in the condition of honest poverty which has succumbed to misfortune which

should make it the enemy of the more fortunate, while there is nothing in the largest wealth which should lead it to withhold fraternal sympathy from the worthy poor. That "touch of Nature" which reveals the kinship of humanity would create mutual relations between all classes that would go far towards bringing in a social millennium. This principle has a wide application.

We must all be agreed, I think, that the most important question in this relation is, how the charity of the public can be most prudently, most humanely, most justly administered, so that it shall be least onerous to the public and more beneficent and helpful to the relieved. Another thing we must be agreed upon: That organized as is our modern society, there will always be a worthy class who, for some cause or other for which they are often wholly irresponsible, are, for a longer or shorter period, entitled to relief. If there be any subject upon which the statesmanship and benevolence of our own country and of Europe have sadly blundered, for the most part inaugurating systems which have been breeders of pauperism and vice, it is this we are considering.

To-night we have come to listen to the report of a year's working among us of a system which had its origin in London, but which has been commended to our public, illustrated, developed, and systematized, with efficient co-operation of others, by a gentleman who has given his thought, his heart, his time, to what I believe is the beginning of a great revolution in our charitable methods.

The system of the Charity Organization recognizes, I believe, every principle I have briefly stated, and it is complete in its workings only when these principles fully obtain. Without going into much detail, I will briefly state what I understand to be the methods of its work-

ings. It starts with the principle that all needy persons having no sources of relief, should be cared for by the general public. That sects and nationalities should be utterly ignored, and no questions asked at what altar the recipient worships, or what God he calls Master. The recipient of help is to be cared for as a man or as a woman, and not as a Catholic, Protestant, Hebrew or unbeliever. The relief afforded is not grudgingly given, but bestowed in discharge of a duty society owes to suffering man.

Another principle is this, and not the least important: Relief, administered as a help in an exceptional condition, is to help tide over the hard spot and aid the relieved to become self-supporting. This involves another idea. That no help shall be given which tends to weaken the sense of personal responsibility on the part of the recipient. Pauperism is not to be made an easy profession, and when health is restored in the case of the sick, and opportunity of work is found in the case of the able-bodied, the supply is to be cut off and the party required to be again self-supporting. This faithfully carried out strikes at the root of systematic beggary, and stimulates to honest exertion and self-help. To this end, and hence to an intelligent and economical administration of its affairs, the whole machinery of the association is conducted. I do not know how I can so well express its objects as by reading a section from its constitution.

The following shall be the objects of the society:

1. To bring into harmonious co-operation with each other and with the overseer of the poor, the various churches, charitable agencies and individuals in the city, and thus effectually to check the evils of the overlapping of relief caused by simultaneous but independent action.

2. To investigate thoroughly the cases of all applicants for charitable relief which are referred to the officers for inquiry and report.

3. To place *gratuitously* at the disposal of all charitable agencies and private persons the investigating machinery of the committees of the society, and to send to persons, having a legitimate interest in cases, full reports of the result of the investigation made.

4. To obtain from the proper charities, from the overseer of the poor, and from charitable individuals, suitable and adequate relief for deserving cases.

5. To assist from its own funds, and, as far as possible, in the form of loans, all suitable cases for which adequate assistance cannot be obtained from other sources.

6. To repress mendicity by the above means, by the gratuitous distribution of investigation tickets, and by the prosecution of impostors.

7. To promote, as far as possible, the general welfare of the poor, by means of social and sanitary reforms, and by the inculcation of habits of providence and self-dependence.

It has a central bureau and, at present, four distinct offices, one for each district, into which the city is divided, having in co-operation with it nearly all the churches and benevolent organizations in the city. It has on its books the name of every applicant for relief within the respective districts. No relief is afforded until the party is visited and the facts of the case reported upon; after investigation of which facts a full record is kept. It learns the source of relief, whether from poormaster, from church or private charity, so far as it can be obtained. It is easy to see that "dead beats," the voluntary and dependent idle, and the roving mendicant, must soon lose their vocation under this system.

In each district a committee of nine gentlemen, twice each week, meet to hear reports of the various agents and visitors and, after careful examination, act upon the

case of each individual applicant. There is no publication of names of the relieved, and everything is conducted with as much delicacy as is possible in the nature of the case. Some of the visitors to families are women, and their office is not only to learn the immediate wants of parties, but to give counsel to the mother how to manage her domestic affairs, and to extend that sympathy and comfort to families which women know so much better than men how to bestow. The only element ignored,—which might at first seem to some a mistake,—is the religious element. This organization is purely secular, and scrupulously avoids every appearance of proselyting. For religious teaching it remits to their spiritual advisers every applicant for relief. This disarms all criticism, puts an end to sectarian jealousies, brings into hearty co-operation every religious interest among us for the single end, and so makes the organization a unit in its action. It finds its sources of strength in every school of thought and in every form of faith.

For the first time in the history of our city is its charity administered on a business basis which prevents abuse and cuts up by the roots the profession of mendicancy, while at the same time those entitled to relief, within limits just to society and to themselves, receive it. The abuses of public charity which have already been detected and stopped by this society would astonish you. For those abuses the parties are not alone in fault. Society has invited them all by the methods of its public and private charities.

What are the results?

It has been in partial operation one year. A much more complete canvass than we would suppose possible has been made of families and persons receiving assistance, and most satisfactory results have followed.

The expenses of the overseer of the poor from October 1, 1877, to October 1, 1878, were \$98,867.47 against \$157,287.56 for the year from October 1, 1876, to 1877. This subject has received the thoughtful consideration of Mayor Scheu, who in his recent message says:

In addition to the intelligent efforts of the overseer of the poor, other causes have combined to diminish the number of persons dependent on the public for support. Among them was the mildness of last winter. The principle of investigation as a prerequisite to relief has been more fully and practically developed than in the previous year. Through it, as applied by the overseer, the police and the agents of the Charity Organization Society, a great saving has been effected, and door-to-door begging has almost disappeared.

Not a few benevolent individuals are availing themselves of the opportunity afforded by the Charity Organization Society, and through their generosity many have ceased to be dependent on the public. Five hundred and forty-two families have been relieved since the tenth of last January. It is a very suggestive fact, showing the importance of due investigation, that since the Society extended its operations it has found that nearly one-third of the applicants for relief were not in need of it.

I want to look for a moment at one happy feature and result of this organization, independent of its immediate objects. It is the only charity organization I know of which has brought all sects and creeds into hearty co-operation. Our Roman Catholic friends, whose charitable institutions are a prominent feature in every city of the Union—I may add, of Christendom—after a careful examination of its principles, and after satisfying themselves that it is just what it claims to be, a society for improving the temporal condition of the poor, are giving it cordial co-operation and support. I hold in my hand the *Catholic Union* of this city, of date December 11th, where, in an article on “Christian Charity,” of broad and just views, I find these words of appreciation of the efforts of the gen-

tleman primarily instrumental in inaugurating the society, and the society itself:

It is such a plan of relief as will check pauperism, and will improve the condition of the destitute, instead of humiliating and demoralizing them. That it looks to improve their moral and social condition while relieving their temporal wants. The Charity Organization can accomplish a vast amount of good. The Society of St. Vincent de Paul has long practiced the methods recommended by Rev. Mr. Gurteen. The branch of it established in this parish (Cathedral) will give him valuable assistance in carrying out his plans.

This system of visitation takes the Catholic to the home of the Protestant, the Protestant to the home of the Catholic, both to the home of the Hebrew, the Hebrew to the homes of either, and so brings in social and human contact those who for want of such intermingled relations sometimes forget that society is a unit in its secular and social interest, and that all are the children of a common Father.

While it will not and ought not to lessen the devotion of any of the adherents of these great communions to their historic faiths and forms of worship, all of which seem to me to be part of the Divine economy, I do believe this fellowship will teach us all lessons of charity and insure a higher respect for our common humanity.

All that is required for efficient co-operation in this reform, which promises so much in so many directions, is good faith in our action and a generous confidence.

This system, if a success here, I believe will in time become nationalized. The same necessities that exist here, the same abuses, the same demoralization from same causes, breeding unthrift, idleness and a generation of professed mendicants, exists in every city of the land. It is increasing every day, until tramp life, which means a

wandering from place to place to exhaust in turn the patience of every public visited, has become a national calamity. Now suppose the thorough organization the society seeks here is made in every city, each having communication with all others, do we not see that wandering beggary can be cut up by the roots? All that is needed is such a national system, conducted upon business principles by persons having the public confidence, to keep under this enormous evil, ever remembering that what it seeks is not to prevent aid from reaching the deserving, but to cut off the fraudulent hangers-on, and to help the poor to help themselves. Unless this matter is met and adequately managed by the brain and the heart of the country, it will not be long before we shall find beggary will attain proportions that will defy remedy.

Before closing, I want to say a word about the means and the methods of relief under this system. The larger amount of work of this society is gratuitous, but the expense of keeping up its offices, its agents, and printing, etc., are from five to six thousand dollars a year. About that sum, which ought to be, but is not, made up by fees of membership, is all the society requires. It is not a dispenser of alms; it is not the direct almoner of anybody's charity: on the contrary, the system contemplates thorough investigation, and an intelligent knowledge to be recorded in its books of every individual case asking relief. Then each individual case reported upon favorably is remitted either to a benevolent person who is willing to give the relief, or to one of our churches, or guilds, or charity organizations, to do for the case what is required.

So that the usual agencies of relief are still employed, and the necessity for keeping up their needful funds still exists in all its force. Hence it is all-important, and with-

out this the system must be a failure, to keep good, by private donation, the funds of these several institutions.

There should be no misapprehension on this subject. There is no magic in this thing; it can't go alone. Let no man cut off his donation where he has been in the habit of giving. What, then, is the use of this society? It makes the charity of the town an intelligent, instead of a blind, charity. By its system of investigation it exposes the unworthy, it puts an end to street and door-to-door begging, and so will reduce your annual expenses within three years, I believe, one hundred thousand dollars. If to keep up the machinery of this organization cost four thousand dollars per annum, a saving of even fifty thousand dollars—and already it shows nearly that—it is equal to a dividend of twelve hundred per cent. on the investment. This makes no reckoning of the moral gain to the public by the restoration to habits of industry of a large class, and the rescue of multitudes of children from beggary and vice—a gain which transcends all mathematical calculations.

The city of London, where this system originated, was almost overborne by its pauperism. The system is now in successful operation. The percentage of dependents on public relief has been greatly reduced. System, administration and earnest co-operative action by its citizens have achieved this great result. If this experiment here is left for a few men and women to tug and struggle with and carry alone, it will miserably fail, and our taxation for poor relief, which in city and county has reached about two hundred thousand dollars, will go on in the ratio of our indifference until the millstone will drag us all into the sea together. Your pauperism will poison the fountains of your political life; it will corrupt your public morals; it will breed discontent, disorder, shall I say, revolution?

CHARLES KINGSLEY.*

FRUITFUL as is our time in biographies, this is one of the richest and most healthful of them all. Canon Kingsley's life was one of enormous activities in almost every direction that could interest a large-hearted man, and in this volume, edited by his wife, we find reflected as in a mirror the thought and sensibility that inspired his career. He had, to start with—what an Englishman especially values—an honored ancestry, which he traced back as far as the twelfth century. His father was an English gentleman, and his mother a lady of education and ability. Kingsley early manifested the tastes which led him to the clerical profession. His first sermon was written when he was but four years old, and a very good sermon it was, too. At nineteen he entered Magdalene College, Cambridge, where he carried off high prizes and gave promise of his future eminence. After his graduation he took orders, and settled in the humble curacy of Eversley. And here at once he began that life of intense self-denial and activity which characterizes a few—we hope many—of the clergy of the Establishment. There was a school of young clergymen which at that semi-revolutionary period, both in Church and State, found in the late Rev. F. D. Maurice a teacher and guide. It was the eve of a new departure, leaning to more liberal interpretations of the creed and articles of the Church, and interesting a consid-

* *Charles Kingsley : His Letters and Memories of His Life. Edited by His Wife.* This notice was first published in the Buffalo Daily Courier.

erable body of the younger clergy in the social questions which agitated England. Young Kingsley, with his hate of oppression in all its forms, and his sympathy with the laboring classes, at once placed himself at the head of the reform movements. Hunger and poorly requited toil had driven the masses to desperation, and the Chartist movement soon included a large portion of the artisans of the country. They were denounced as revolutionists. Their natural excesses brought the severities of the law upon many of the leaders, and all England seemed divided into hostile camps. Kingsley had no sympathy with violence; he knew what wrongs had stimulated it, and he addressed himself to the double task of calling the attention of the gentry and middle classes to the wants and the wrongs of labor, and of educating the poor to seek their remedies in methods that would not disturb the public order. For this purpose he wrote "Alton Locke," a vivid picture of the situation, in which, with all the enthusiasm of his nature and the glow of his genius, he taught a lesson of humanity and justice to the rich. It had a powerful influence on public opinion and parliamentary action. He periled everything, as advanced reformers ever do, in so adopting the cause of the weak and friendless. He was denounced as a Chartist, suspected and avoided by the aristocracy, and was without full appreciation by those whose cause he espoused. There was hardly a social abuse in England he did not attack by sermon, by pamphlet, through the journals, and in every form of expression known to English agitators. His whole life was a warfare against unjust privilege at the expense of the masses, and against every form of vice and every element of degradation. His series of letters over the signature of "A Working Parson," fell fast and hot upon the public mind—in advocacy of the claims of the neglected classes. He was

no flatterer of the people. He unmasked their faults and vices as freely as those of the governing classes. In one of these series he says:

Workmen of England! You think the charter would make you free. Would to God it would! The charter is not bad if the men who use it are not bad. But will the charter make you free? Will it free you from slavery to ten-pound bribes? Slavery to beer and gin? Slavery to every spouter who flatters your self-conceit and stirs up bitterness and headlong rage in you? That, I guess, is real slavery. * * * * There will be no true freedom without virtue, no true science without religion, no true industry without the fear of God, and love to your fellow-citizens.

He never fell below the Christian dignity of that utterance. His "Yeast" was a novel of the same general character as "Alton Locke." Indeed, all his novels had a special moral or social purpose.

An interesting part of this book is his correspondence with one Thomas Cooper—a man of ability—a workman and an atheist. He gave lectures on atheism. He sought, he says, "my large-hearted friend, Charles Kingsley. He showed the fervent sympathy of a brother." Under Kingsley's judicious instruction Cooper became a religious teacher. Several of Kingsley's letters to him form an attractive feature of the book. This incident reveals him to be intensely human as he was good and wise. As a Christian he belonged to the broad school with the late Rev. F. W. Robertson and F. D. Maurice, and the yet living Dean Stanley and Stoppford Brooke. With them—we do not speak invidiously—Christianity is a living principle, adapting itself to the world—a gospel of social elevation of the neglected classes as well as of sound doctrine for the well-to-do who live luxuriously and believe the standards as by law required. The volume

gives a clear insight into the outside labors of this school and of their religious tendencies. Beautiful are the relations of the young clergy of that school to their much-misunderstood but great leader, the late Frederick D. Maurice. He was learned, pious, Christian, who had broken away from some of the severities of the old theology and led the way in bringing God into closer and more sympathetic relations with humanity, and in placing the Son of God at the head of the social forces which must regenerate it.

Kingsley was also the most eminent of the "muscular Christians." He believed that a sound soul must have a sound body. He fished, hunted, scaled mountains, made long pilgrimages on foot, botanizing as he went, loved a horse, could row and box, planted himself close to nature, and drew health and strength by the contact. This gave him vigor and kept his natural buoyancy of spirit ever active, a perennial spring, flowing in strong currents of joy and delight for his family, for his friends and for his people. He recalls the late Norman McLeod, the Scotch clergyman, whose kindred life has recently been given to the world in a delightful biography. In both we find the same humor, jollity and fun—the same contempt of cold conventionalities which keep the manners grave while the head chills and the heart turns to ice. Kingsley's temperament was ever hopeful; there is not a morbid line in this book, which is full of his letters and journal. He soon became the most famous man in England for warm and active sympathies, and for that energy which bestirs to relieve. His works went wherever the English language had gone, and the whole English-speaking world became conscious of the fact that here was an Englishman who had a heart that loved and a head that could counsel. Letters flowed in upon him from the

remotest English colonies thanking him for leading the writers to juster thoughts and to better life, or asking advice in almost every imaginable circumstance of trouble. Infidels and scoffers, doubters and excessive believers, all brought him their experience and asked his guidance. Humanity had found another friend. He was consulted by a lady through a letter about joining a sisterhood. She was a stranger. His reply reveals the delicacy of his nature and the exhaustive method of his treatment of every subject submitted to him. It opens as follows: "Though I make a rule of never answering any letter from any lady whom I have not the honor of knowing, yet I dare not refuse you." Then follows a letter of three pages of the book, in which he shows this woman coveting the selfish pleasures of asceticism, that she is placed in this world to work out her salvation, not by selfish care for herself in a cloister, but for God's children. "Believe me, madam, the only way to regenerate the world is to do the duty which lies nearest us, and not to hunt after grand, far-fetched ones for ourselves. Begin with small things, madam; you cannot enter the presence of another human being without finding there more to do than you or I or any soul will ever learn to do perfectly before we die."

His letters to Tom Hughes ("Tom Brown of Rugby") are always rollicking with fun.

How breezy and fresh is such a life! We read it after running through Harriet Martineau's biography, the most powerful in its personality of our day. Wearied with her excessive intellectuality, and under the spell of her bald materialism—a materialism which converts the universe into a mill of blind destinies, with no God, no immortality, no ideals higher than our own egotism—we picked up this life of Kingsley, and the contrast was as of a tropical garden

after a journey over a desert. Harriet Martineau seemed to blot out the sun and the stars. There was no hope nor joy nor rest, save the rest of annihilation, beyond the grave. Kingsley brought back all the constellations which have guided the soul of man in all ages. The contrasts on that side of their lives is simply infinite. In their consecration to humanity they are kindred. We ask, with wonder, why nature robbed that great woman—the greatest of her time—of that element which we ever associate with her sex? Woman without the religious faculty seems woman discrowned. The Kingsley life is an antidote to the Martineau bane. The life of this almost unique man will do much to give cheer and hope to the world's toilers of every grade; it will open the hearts of multitudes to the teachings of Christianity who would be repelled by the severities of other schools. We welcome it as a voice of gladness and melody.

HARRIET MARTINEAU.*

DEATH broke the seal, at last, of this autobiographical legacy to the world. Harriet Martineau, twenty years before her death, justly thought that her life was so interwoven with the intellectual life of her time, that posterity would be glad to learn the details of its activities, the process of its development, and the final landing-place in philosophy and religion of the great thinking force incarnated in her; and here it is, after its slumber of twenty years, with much of her later history and experience; so that in these two volumes we have a life-companionship, with this marvellous woman. It is a biography almost unique in its undisguised revelation of the innermost thoughts and the most secret passages of a human life. The confessions of Rousseau hardly admit us into closer view of a personality. Her heart is on her sleeve for every daw to peck at, and her mental and psychological character is stripped of all disguise. If it be true, as Carlyle says, that "the true delineation of the smallest man is capable of interesting the greatest man," then this delineation by an artist without a rival, of the greatest woman of her age—greatest in her endowments, greatest in the actual results of her life, and greatest in her influence upon the social and political policy of her age—has an interest almost transcendent. We have seen her compared to Madame De Stael. Except that the

* *Harriet Martineau's Autobiography.* Edited by Maria Weston Chapman.
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brilliant French woman had genius and talent, there is no parallel in their lives. Madame De Stael wrote two romances, which are still read. She wrote a philosophic criticism on German literature which has yet a value. She had a romantic devotion to her father, which had its expression in a superficial history of the French Revolution. But she had all the vanity of her nation, unbounded egotism, and was never happy except when surrounded by flatterers and enveloped in the incense of personal idolatry. She consecrated her life to Madame De Stael. Between such a life and that of Harriet Martineau there is the whole heavens of distance. Miss Martineau was a philosopher, a statesman, a philanthropist. The family fortune was lost, and its numerous children were thrown upon their own resources. Harriet betook herself to literature for bread. Her early struggles, her indomitable energy, her mastery of fortune, her unconquerable will, even in the beginnings of her public career, are revealed with masterly power in the opening chapters of this fascinating work.

Once fairly entered upon her literary career, and removed to London that she might be at the center of activities, her life is simply a marvel. It was a time when abuses existed everywhere. The policy of the government toward its poor and laboring classes was unmitigated injustice and cruelty. It was the time of aristocratic privilege. Against these wrongs, and against a false system of political economy, aggravating all these evils, she arrayed herself promptly and fearlessly on the side of radical reform.

When about thirty years of age she began to write a series of political-economy tales, of which she published thirty-four in two and a half years. In them she discussed every question of political economy and every

social abuse. There was no more powerful influence brought to bear upon the public than her discussions. Her industry and its results are simply marvellous. She was a daily correspondent of a London journal, writer for the leading reviews, and there was a steady stream of novels, of discussions of questions of national interest, of philosophic disquisitions, from the fertile brain of this woman, for over thirty years of this most active part of her laborious life.

When thirty-four years old, with a fame no English woman had before attained, she visited this country. Her reputation preceded her, and until she identified herself with Garrison in his anti-slavery crusade, her visit was a constant ovation. Statesmen of all schools and sections courted her. Boston, New York, Philadelphia and Charleston vied with each other in paying her homage. But the age was too thin-skinned to tolerate free speech—on one subject. Slavery was still a god of our commercial idolatry, and from the moment she avowed her anti-slavery sentiment the tide turned. Insult and contempt succeeded adulation and welcome. She was warned away from visiting the South, and some of the great lords of the North, who placed chains round the neck of Garrison and led him to prison, turned their backs upon her. Returning home she published her book on America—one of the great sensations of the time.

The vast intellectual labor of Miss Martineau could never have been accomplished but for the fact that she wrote with an ease and freedom we believe never surpassed, if equalled. She wrote as freely as she talked; was never dependent on moods, and never corrected her manuscript. Her life of labor was a perfect system—her mind a splendid machine never out of order.

Of course such a character was a social celebrity—and yet society she rather avoided than courted. At one period of her life, to avoid the social maelstrom of London, she built a cottage near the Wordsworths, where, although distrusted at first because of her materialistic sympathies, she soon found her way to all hearts, and was the benefactress of the vicinity people. She gave a course of twenty popular lectures on English history, and in many other ways sought to improve the minds of the common people around her.

One of the most interesting features of these volumes are her pictures of the characters in London literary society. We know nothing that approaches them for strong outlines and flesh-and-blood coloring. She reveals her hates, for such she has, and her loves. While she flatters herself that she is superior to prejudice, she reveals her personal piques.

Brougham she hated cordially, and for Macaulay had no liking. She thought him shallow, selfish—an egotist. His history she declares a romance, below the dignity of history. On the other hand, for Sydney Smith and Hallam, she has a genuine affection, while Carlyle is her god. She had great sorrows. For six years she was an invalid, helpless and waiting for death. Atkinson, a philosopher, recommended mesmerism. She tried it and in six months was cured. Then she sounded the praise of this system, and the whole kingdom rang with maledictions. Some of her family broke off intercourse with her, and journals and reviews kept up a perpetual war upon a woman who dared escape death by other than the orthodox methods. She bravely defied it all, and maintained her ground until the storm had exhausted itself.

This acquaintance with Atkinson had a powerful influence upon her thought on philosophic and religious questions. About this period she became interested in Comte's Positive Philosophy, more abused than understood in England, and she translated the six volumes. Previous to this she abandoned faith in Christianity, but had found anchorage in no system. Atkinson, with his clear intellect, his pure nature, his high aspiration after the good, comes in at this period to carry her across the chasm and land her upon the bleak rock of Materialism. And so Harriet Martineau passed the last years of her life without faith in God, or immortality—rejecting Christianity and other forms of religious faith as gross superstitions; good only for the infancy of intelligence, which must utterly fade away before the culture of a near future. And here we find the most painful phase of this great life. For she was no hypocrite and was without affectations. She loved her race, and would have died a thousand deaths to serve it. How could she, a woman, be so disrowned? Had it been her brother James, whose great powers have been thrown on the other side of the question, whether or not there be a God, and whose sensibility is a part of the fragrance of the religious literature of our time, we could understand it. But that this woman, of so much struggle and suffering and sorrow, should reject the consolations of faith, and be content with consolations of philosophy, that she could so undervalue the power of Christianity as a social force and an element of purity in individual lives, and that she could so remorselessly attempt to overthrow it, we confess a marvel. With all the power of this biography and all its fascination, this single element settles over it as a cloud, and oppresses the reader. That she is sincere as she is pure and good, there can be no doubt. We can

simply conclude that her powerful intellectuality, in an age when the theologic spirit was on the decline, and in the absence of that feminine element which needs the support of traditional faith, has landed her, whether she would or no, upon the desert of Unbelief.

Miss Martineau in her devotion to absolute truth, has forgotten that there is some dirty linen which should be washed at home. She had an unhappy childhood, and she reveals the fact that she had a mother who was unkind, and often cruel. She made the early years of her daughter wretched by withholding all tenderness and all expressions of sympathy, and by acts of positive injustice. Yet long after she attained woman's estate her mother's word was law.

She should have thrown a mantle over, instead of exposing to the public, these faults. The same may be said of some painful passages between her and other members of her family.

She became at length almost another estate in the realm. Cabinet Ministers consulted her upon the gravest questions of policy. She interposed to settle disputes between leaders which were embarrassing the reform movements of the time. She brought about a reconciliation between Sir Robert Peel, when Prime Minister, and Cobden. She was full of diplomatic skill and social address. We cannot be surprised that without vanity, she felt herself a power, and became dogmatic and dictatorial. No man or woman ever lived who guarded more jealously a personal self-respect. The noble family of Lansdowne wished an introduction to her at a London party, at which her mother was present; but as they did not ask that her mother be presented to them, she rejected every overture for further acquaintance. She refused an introduction to the poet Tom Moore, because

he published a poem of railly in the *Times*. It wounded her and she never forgave it. Different administrations urged a government pension upon her, which she refused. This great, proud, toilsome, self-contained character, wrought her work until she attained the age of seventy-four years, and, measured either by the powers developed in her life, or by its results upon the thought and policy of her time, she appears a peerless woman. Indeed we almost forget she was a woman, and think of her as a human force thrown upon our century when great revolutions were demanding great leaders. We speak of the age of Elizabeth to indicate the *Renaissance* of English letters. A century hence, the middle of the nineteenth century may be named the era of Browning and Martineau.

HARVEY PUTNAM.

A MEMORIAL PAPER, READ BEFORE THE BUFFALO HISTORICAL
SOCIETY, FEBRUARY 18, 1868.

MR. PRESIDENT AND GENTLEMEN:

I esteem a personal kindness, the expression of a desire by the Club that I would prepare a sketch of my father, who, although never a resident of Buffalo, had, for nearly forty years, more or less intimate personal and business relations with the town, and for several years was the immediate representative of this county, in the State senate, under the constitution of 1821.

As one of the early settlers of this region; as one who shared in the struggles and sacrifices of that iron age, when every day's bread was purchased by the day's toil; as one who aided in founding the institutions of Western New York, his unpretending career may have some interest for your society, whose pious office it is to preserve the memories of those who have made our western history. And you will permit me to say that this is to me one of the most attractive features of your society. Indeed, during the several years of my absence abroad, I had more than one occasion to be grateful that you were performing Old Mortality's office.

I know how busy is the present, and that in the whirl, and rush, and tumult, and rivalry of our clashing interests, there is little leisure for such offices. But do we not wrong both the living and the dead, when we willingly let die the memory of the representative men of the best

results of our local history? There is a sense in which we can and ought to retain them among us as social divinities. The sentiment of mankind in this regard is not at fault; it is of the fact that it is overslaughed by the remorseless egotism of the present, that we may complain.

The county of Buckinghamshire, England, was one of the centers of Puritanism and revolution during the reign of the first Charles. It will be remembered as the home of John Hampden, who, wearied of the struggle with the crown, at one time took his passage and embarked with his kinsman, Cromwell, for America. The project was detected and thwarted by the government, and, in the language of Macaulay, "they remained, and with them remained the evil genius of the House of Stuart." Among those who were at that period more successful in their purpose of emigration, was the family of John Putnam, of the same county, who arrived in Salem, Mass., in 1634. They are the ancestors of all I have ever known bearing the name. They immediately settled in Danvers, where many of their descendants are still living.

Harvey Putnam, the son of Asa Putnam, and of the sixth generation from John Putnam, was born in Brattleboro, Vermont, the youngest of nine children, on the fifth day of January, 1793. He was left an orphan in infancy. Soon after the death of his parents he removed to Williamstown, Mass., and from there, while yet a lad, to Cobleskill, in this State, under the care of kindred. At the age of about fifteen, he removed to Skaneateles, Onondaga county, where he was apprenticed to an elder brother to learn the saddle and harness-making trade. After spending about two years in that service, he entered the law office, as a student, of the late Daniel Kellogg. He completed his professional studies with the late Judge

Jewett, of Skaneateles. He was very poor, and maintained himself during his preparatory studies by teaching during the winter seasons. At this time he had some private lessons in the Latin language, and attended the village academy one or two terms. He had a rare taste for horticulture. Contrasting it with my own shocking deficiency in that respect, I once asked him where he acquired his skill. He replied that he owed it to his Latin, for he earned the money which compensated his teachers, by gardening during the leisure morning and evening hours of summer.

His early history was that of nearly all the men of his generation. It was a constant struggle with poverty, but with poverty that was not ashamed of its struggle, and which, like adversity, for those who have the art to find it, wears a precious jewel in its head.

He read his profession as long as Jacob served for Rachel, before he was permitted to wed his mistress. For in those days there was an impression which had crept into the laws of the State, that he who would minister at the altar of Justice, as a priest, should devote at least seven years to learning her mysteries and preparing himself for the duties of the sacred office. On being admitted as attorney of the Supreme Court, he moved to Manlius, in Onondaga county, about 1816. But this was a pre-occupied field, and he soon began to think of seeking a home in the then Far West, on the Holland Purchase. How little can the present active generation appreciate the character of the pioneer ship of that period! The Holland Purchase presented scarcely a single one of the attractions that now draw the myriads of our own and of foreign people, to our virgin domain beyond the Mississippi and to the borders of the Pacific. There was land and the

possibility of cultivation, but it was covered with the primeval forests, and its possession disputed by savage beasts and savage men. When the clearings were made and the crops raised, there was no market. The dreariest corduroy roads, through swamps and inhospitable regions, imposed a journey of weeks before they could reach the Hudson River. The young professional aspirant could hope for nothing for his hard toil, but the smallest pecuniary compensations, without any dream of wealth, hardly of competence. No man settles nowadays in our present West without anticipating, not in years, but in months, the sound of the steam-whistle rushing past his dwelling, and the growth of a commercial center near, if not upon, his own acres. He lays one hand on the mane of the Atlantic, and he counts the days when he will grasp that of the Pacific with the other. By aid of the telegraph his spirit is ubiquitous, and he daily challenges prices, at the hour of 'Change, in every market in the civilized world. His house of iron or of wood, is often manufactured in Chicago or other towns east of Kansas, and whirled with lightning speed across the vast prairies, and the miracles of Aladdin's lamp are achieved almost in a day. The young lawyer goes out to Montana, or Colorado, or Alaska, with visions of governorships, senatorships, judgeships, and every other ship that is freighted with ambitious hopes and high expectations. If he ever finds these expectations and hopes illusions, which

"Lead to bewilder, and dazzle to blind,"

he does not so realize them, until he is old enough to woo Philosophy, and find there is sweetness in Adversity's uses.

To work to live, and to live to work, with no thought of any deliverance until the great deliverer came, was the

lot and expectation of most of the early settlers of Western New York.

Mr. Putnam was married on the fifth of August, 1817, to Miss Myra Osborne, at Skaneateles, and the same year, accompanied by his young wife, he took up his residence in Attica, a part of old Genesee county, and lying eleven miles south of Batavia, its county seat. Here he fairly began, with few books and vast capacities of labor, his professional life. For twenty years it was wholly unvaried, except by those local trusts which are liable to fall to a good lawyer and trusted citizen. In 1836 he invited to a partnership with him the late Judge Hoyt, to whose memory a most deserved and appreciative tribute was paid by Judge Skinner before this society. That partnership continued until 1847, when Mr. Hoyt was elected to the office of Justice of the Supreme Court. The most perfect mutual confidence, friendship and respect ever existed between them.

Not many years after Mr. Putnam's settlement at Attica, his kinsman and friend, the Hon. John B. Skinner, took up his residence at Wyoming, in the same county, whom he probably met more frequently in the trial of important causes, as associate or opposing counsel, than any other member of the profession. The old bar of Genesee was not without its honorable distinction. The late Gen. Ethan B. Allen and Daniel H. Chandler, and the still living Judge Taggart, P. L. Tracy and Heman J. Redfield will be remembered among its leaders. Judge Skinner was the favorite advocate, and as such, held unrivaled supremacy, until he sought among us that ease with dignity, of which lawyers as well as poets sometimes sing, but rarely realize.

In 1839 Mr. Putnam was elected to the short session of the Twenty-fifth Congress, to fill a vacancy occasioned

by the death of Hon. William Patterson. This was a congress of great interest in its personal and political character. Millard Fillmore, Ogden Hoffman, Henry A. Wise, and that most able and accomplished representative of South Carolina, whose untimely death was so deeply mourned by the nation, Hugh Swinton Legare, and other men of national fame, were among its members. If we had not made and lived so much history, and so fast, we should remember it as the congress which undertook to arrest the advancing tide of the ocean with a broom, and to stay the fiery flood of Vesuvius by placing a man's hand over the crater. What success crowned the experiment of Mr. Atherton, is recorded in ample and enduring chronicles.* In reviewing the letters received from him during that winter, I found a statement which reveals how easy it is to exaggerate the dangers of a present crisis. The whigs had carried the preceding autumn elections, and the tide was fast rising which was to overwhelm Mr. Van Buren and to bear the opposition into power—for thirty days! He says in his letter:

I met Mr. Clay this morning in the senate chamber. He expressed great joy over the result of our election. He looks upon it as the salvation of the country.

Such was Mr. Clay's opinion, and I have no doubt the great body of democratic voters of that day believed that the defeat of Van Buren in the election of 1840 would seriously imperil the government, while it was demonstrated by eloquence unsurpassed in the history of parliaments, and accepted with almost religious faith by the opposition, that nothing but the success of the whig nominee could save the country from financial ruin and political despotism. We now know that these views

*Refers to the "gag rule," suppressing abolition petitions.

were all illusive, and that the institutions or liberties of the country were no more involved in that contest than is the safety of the Eddystone light-house in the play of the sea foam at its base.

In 1840 he was appointed Surrogate of Genesee county, which office he held until the division of the county, when he was appointed Surrogate of Wyoming county, and held the office until 1842.

In 1842 Mr. Putnam was elected to the State senate, a representative of the old eighth district comprising the western counties of the State. The senate at that time constituted the court of final appeal in cases of law and equity. He was distinguished during this term of four years for his devotion to the practical duties of legislation, and for his painstaking labor as a member of the Court for the Correction of Errors. His most elaborate speech in the senate was made in defense of the canal policy of the then late whig administration, then the subject of attack.

In 1848 he was elected from his district to congress, and was re-elected in 1850, serving through the last half of Mr. Polk's, through Gen. Taylor's, and a part of Mr. Fillmore's administration of the government. He was elected as a whig, and acted with the great body of that party in Western New York on all the public questions that arose during the period of his public service. He was in sympathy with the anti-slavery sentiment of his district. He did not sustain the compromise measures of 1850-'51, for he did not believe as I then did, and as the Northern friends of those measures believed, that the South would accept them as a final settlement of the slavery question. He believed the South would neglect no opportunity to strengthen its peculiar interest aggressively, and that resistance to its pretentions had better

begin. There never has occurred and, I think, never will occur again, a crisis in our national history when good men will be more likely to widely differ upon the most sincere convictions, in relation to what policy is wise, than in that which arose in 1850-'51. History has since come largely to the aid of our philosophy. And still the shield appears dark to some, while to others, of vision equally conscientious, it appears silvery.

At the close of his congressional service he returned to the duties and labors of his profession with unabated zeal and enthusiasm. His son-in-law, John B. Skinner, 2d, was associated with him from the time of Mr. Hoyt's elevation to the bench. During the last twenty years of his life his health was not very firm, but he never would surrender to the attack of disease until forced to yield. In the summer of 1855 he visited Wisconsin to look after some business interests of his own. He returned after a few weeks' absence, complaining of some new symptoms of disease which culminated in dysentery, of which he died, after a few days' severe illness, on the twentieth of September, 1855, in the sixty-third year of his age. With some notice of his personal and professional character, I shall close this sketch.

He brought great industry and unwearied devotion to his business. I have no doubt that for the first twenty years of his professional life he was at hard work an average of sixteen to eighteen hours per day. He was always overwhelmed with business, and nothing escaped his most careful attention. To the most trifling causes that were constantly arising in a country practice he gave the same research and exhaustive study which the gravest questions and most important controversies in courts of record commanded. His briefs were formidable antagonists. His characteristic industry he brought to all his

public trusts. To be never idle, to do with the highest skill he possessed whatever was placed in his hand to do, was with him both a principle and a passion. He never shirked any duty imposed. He was a patient and laborious committee man, and belonged to the practical and working class of legislators. With the exception of two or three speeches on the Mexican war and the questions growing out of that conflict, he took little part in the floor discussions of congress. The efforts he did make were always the result of careful preparation. His strength in debate lay in his judgment, in the perfect integrity of his mind, and in his power of exhaustive investigation, not in any charm of fancy, nor in philosophic generalizations, nor in any magnetic force of nerves.

He was in his business the perfection of order and system.

He was a sound lawyer, but perhaps too much inclined to find guidance in past judicial decisions, rather than venture upon a new path through general principles. This did not arise from a superficial study of elementary law, but was the result of the conservative character of his mind. *Stare decisis* was a ruling maxim with him, and he had little sympathy with judicial innovations, especially in those cases which involved no principle of natural justice, but where some arbitrary rule had been established to give security and confidence to the business public. A different habit is very favorable to law book-making, and contributes to those "delightful uncertainties" which have been so fruitful a theme for the jibes of satirists of all times. This characteristic of his professional and judicial life is easily detected in his published opinions in the Court for the Correction of Errors.

While in the practice of his profession he realized that the laborer is worthy of his hire, the hope of compensation was the least stimulant to his exertions. He would labor as diligently and as sacrificingly for a poor widow who would besiege him for months with some case of wrong she had suffered at the hand of an oppressor, and who could reward him only with empty thanks, as he would for a millionaire. If there was any difference it would be in favor of the poor and humble, for they enlisted his humanity, the strongest motor of his nature.

He had no love of money, for its own sake, and learned little of the art of accumulation. He earned and spent most liberally on his family, and, for his means, which were ever moderate, he gave almost with prodigality to his Church, and to objects of general charity and benevolence. His integrity was after the severest model of character, that is, absolute. For I do not believe the English cynic when he says that every man has his price; that is, there is no man who will not, for some consideration that may be offered to his cupidity or ambition, betray the trusts of business, and violate the confidences of public relations and private friendships. I am sorry for him who does not know the luxury of absolute and justifiable confidence in somebody. There is truth in the saying of a better man than Walpole, that he who charges the whole world with corruption convicts but one.

His intercourse with men was without mental reserve, ever frank and undisguised. The elements of his personal strength in the public confidence, were character and adequacy. To these, all the public trusts he held were spontaneous tributes. I have spoken of his benevolence. While he was surrogate this was often appealed to. I have frequently seen him surrender a large part, sometimes the whole of his official fees, the immediate response to

the suggestion that the estate settled before him was poor, and that there were children dependent upon it. He could offer no resistance to a plea of humanity.

He was a peace-maker. I have often known him when applied to to institute litigation, to persuade the parties to allow him to act as arbitrator of their dispute. This did not compensate his pocket, but it did his heart. He secured justice to the contestants, and preserved good will among neighbors, and that satisfied him.

He was a warm friend and had strong personal attachments. His benevolence would have made him kindly in his intercourse with others; but, apart from that, he was by temperament full of cheer. He had a buoyant spirit, and a face radiant with social sunshine. I doubt if any man ever moved in the same general sphere so long and made fewer enemies. It is not to be inferred from this that he was facile in his opinions, for the contrary was true; but he was not of the militant class who are ever sending forth notes of defiance, long and loud, to the opposing camp.

For about thirty years he was a professor of the Christian religion, and a member and officer of the Presbyterian Church. The religious element was in him a deep, rich vein, running through all his moral and social being. Without cant or ostentation, he accepted the truths of revelation with a faith that scarce knew a doubt, and they constituted his highest inspirations, and were the source of his deepest joys. While he so accepted Christianity, he had no sympathy with the bitterness that often attend theological disputes. Christianity was with him, literally, a life. It budded and blossomed, not for controversy, but with the fruits of the spirit—faith, hope, charity.

In person he was of medium size, and very light complexion. He had a quick, elastic step, and a movement which gave one the idea of hurry. Such, in brief, was his history and character.

He was one of a class of men who were distinct outgrowths of the early part of the century. The age which formed their habits of thought, their aspirations and their characters, had not that unrest, that hungering and thirsting for large results in a short space, which impels the present generation with unparalleled velocity. Their material results were small, but their labor was persistent, patient and disciplinary. Life was not made up of schemes, but was accepted as a term of service in a single line of pursuit, without great expectations, feverish anxieties, or bitter disappointments. Such a life could hardly be a failure. A man then entitled to confidence, won it often before he was aware, and the fruits of that confidence dropped at his feet, whether he would or no. The best, perhaps the only lesson of the history of the subject of this sketch, is patience in bearing the burthen of life, and fidelity to all its common trusts. And these trusts, are they far to seek?

“ The primal duties shine aloft, like stars ;
The charities that heal, and soothe and bless,
Lie scattered at the feet of man, like flowers ;
The generous inclination, the just rule,
Kind wishes, good actions, and pure thoughts.”

JOHN B. SKINNER.

A MEMORIAL PAPER, READ BEFORE THE BUFFALO HISTORICAL
SOCIETY, FEBRUARY 24, 1873.

LAWYERS are said to have brief histories. So many early struggles, so many contests before courts and juries over questions of a narrow interest, and then an end. Unless called to important public positions, and thus his life becomes identified with large public interests, it is certainly true the lawyer of the highest professional reputation leaves little material for the biographer. The life of Judge Skinner, eminent as it was in his chosen profession, offers no exception to this rule. His whole career, with the exception of a short experience in the State legislature, while he was yet a young man, was of unsurpassed constancy to his profession. This devotion, however, was not at the expense of much public service, through his connection with religious, educational and charitable institutions, while his personal character for nearly half a century was a recognized power in the State.

John B. Skinner was born in Williamstown, Massachusetts, July 23, 1799. His family represented the highest character and culture of New England. Colonel Simonds, his maternal grandfather, was distinguished for his patriotic services in the war of the Revolution, and his honorable fame is one of the cherished local traditions of Berkshire. His paternal grandfather was the Reverend

Thomas Skinner, who was educated at Harvard University, studied for the ministry, and was settled for life over the Congregational Church of Middletown, Connecticut. His father, Deacon Benjamin Skinner, was distinguished in his time for his devotion to religious and educational interests. He was one of the early friends of Williams College, where his sons were educated. His son, John B., graduated in 1818. After graduation he entered the law office of Hon. Daniel Buell, of Troy, N. Y., where he formed a life-long friendship with his fellow-student, the late Governor Marcy. He completed his preparatory legal studies at the then celebrated law school of Judges Gould and Reeves, at Litchfield, Conn. He was admitted to the Supreme Court of the State, in August, 1821.

In about the year 1821 he sought the then land of promise for New England enterprise and adventure, Western New York. Wyoming, in the town of Middlebury, county of Genesee, which he made his residence, was but a hamlet, with little promise, we should say, for a brilliant professional career. Yet, although large inducements were often presented him to remove to more ambitious social and business centers, he resisted every importunity to change his residence until his retirement from the practice of his profession. His success, solid and brilliant, was assured from the first. His industry, his fidelity to professional trusts, his learning and his marvellous power before juries, gave him a leadership at the circuits which he never lost. The jury trial was the favorite theatre of his professional contests, and it was as the advocate that he was without a peer. The methods of conducting litigation in his time differed from the present. Then the great object was to secure a verdict from the twelve men. On their decision hung the issues of life and death and fortune. This made the counsel who

could carry the jury, whether by magic or storm, an indispensable ally. Appeals were comparatively rare. Now-a-days when the jury in so many trials is but an incident, and law, as has been said with much humor and some wisdom, is the power of decision by the last judge that can hear the case, the eloquent advocate holds a position less relatively important in the trial of causes. But Judge Skinner was learned as a lawyer, as well as eloquent as an advocate, and it was this rare combination that gave him a position so distinguished before the courts.

What might have been Judge Skinner's success in the highest range of discussion, we can only imagine. He never had the opportunity which a great public cause and a great occasion afford to the orator. But when we remember the integrity of his mind, his keen sense of right and wrong, his intense convictions, and that sensibility and fervor which charged his utterance with a magnetism that was electric, we cannot doubt he would have taken high rank in any deliberative body. There can be no question as to the rank Judge Skinner held, not only in point of professional ability, but of professional character. He was of that class of lawyers who, in the best days of all civilized States, have made the legal profession the ally of religion and virtue in advancing the social and civic interests of mankind. His profession he accepted as a sacred trust. That trust was administered with a conscientiousness that reflects honor upon human nature.

Said a friend, speaking to me of the Judge—one who knew him well as a lawyer and as a man: "His true greatness was his character;" and he was right. That was solid granite. It stood for a half a century before the public, simple, grand, invulnerable. It was a felt power in the jury box, in public assemblies, in the Church, in the street, in social and domestic life. It put on no

airs, was heralded by no trumpet. It stood before the world a human fact, accepted and trusted of all men. His opinions were sometimes minority opinions, but he was always majority. The man was never defeated, for no voting force could overthrow his moral supremacy.

In the year 1838 Mr. Skinner was appointed, by his early friend, Governor Marcy, to the office of Judge of the Eighth Circuit, who, at that time, had equity jurisdiction as vice-chancellor. There was an universal desire on the part of the bar of the district that he would accept the position, but he declined it. President Pierce appointed him United States District Attorney for the Northern District of New York, which he also declined.

In 1846 he was appointed Judge of the County Court of Wyoming by the governor, under the new constitution, an office which he held a few months until the election. He was one of the first victims of the elective judiciary system. He continued the practice of his profession until about 1860, when he removed to Buffalo.

The political side of the life of Judge Skinner is not without interest. He was elected to the New York Assembly for the sessions of 1827, 1828 and 1829. This was his last position in an elective office of a political character. The question is naturally asked, why he, with his gift of popular eloquence, and his adaptation to legislative and executive trusts, remained in private life through almost half a century of stormy controversy and struggle over constitutional, social and domestic questions, some of which were settled at last before the highest, the grandest tribunal ever invoked to vindicate the rights of man or the honor of nations. Did he retire voluntarily, a dreamy philosopher, or a morbid cynic, with no spirit for the fray, and with no tastes or ambition for statesmanship? On the contrary, he took a deep interest in all the politics of

his time. He entertained most positive opinions upon all national questions, maintained them in all national canvasses, and was not without ambition. Indeed, I think that while he realized how much he had won by his constancy to his profession, he had a somewhat regretful feeling that, while in his prime, and when politics were especially attractive to men of his character and ability, he had no broad public career. It was not the *eclat* which may follow such a career, which he valued at its worth, no more, than attracted him, but the opportunity of public service. That opportunity he valued, and while no man with so much deserving and capability could be more unassuming, he had not been without an honorable ambition to impress his thought and character upon the law and policy of the country. If this be a weakness, it is the weakness of most able men at some period of their lives, who live in the stimulating atmosphere of democratic institutions. Why, then, was not this ambition gratified?

During the period of Mr. Skinner's service in the legislature, a new element appeared in Western New York politics, a sort of Nile inundation, breaking up and sweeping away all old political organizations. I refer to anti-masonry. It took the form of a political party, and from the start was at the white heat of popular passion. The tide kept rapidly rising, and floated out on the sea of popular favor all the successful men of that generation in the career of politics in Western New York. To be an anti-mason was to be in the realm of possibilities for any position within the gift of the local constituency. To be of the opposition was to be whelmed under a flood of majorities which made hopeless, almost down to the present day, all political aspirations through popular election.

It is not surprising that a party which came out as a whirlwind should aspire even to national ascendancy. But as it was local in its origin, and was the child of outraged feeling, rather than of a political idea, it shared the fate of every political organization in this country which is not based upon party traditions, or does not involve a national policy. It lasted long enough, in localities, to place men in public relations who continued to occupy and honor them, long after the organization had been absorbed in the national opposition to the democratic party.

It is a noticeable fact, both in the history of England and this country, that every attempt to found a new and permanent political party upon a sentiment, or upon a question of morals or of religion, has failed. There have been temporary departures from traditional organizations upon some new question, as in the case of the repeal of the corn laws in England, but with the attainment of the end, the new combination has dissolved and sought afresh its old associations.

In the United States, a country of few traditions, and no aristocratic institutions, and where so many constitutional questions have been settled by the courts, or by war, the law of the future development of parties does not appear on the surface. The democratic tendency of the age is so strong, that a reactionary party powerful enough to contest with the dominant idea for supremacy, seems a long way off. The time is not favorable for purely personal parties, and the country is too full of talent and aspirations, to have public interest monopolized by one or two men, as in the times of Jackson and Clay. I suspect that that law of party development will be found to exist here, in a large degree, as it long has existed in England, in the inheritable character of

political associations, and upon the principle of systematic opposition. I should certainly regard a strong proof of the sound political condition of the country, the fact that opposition to any existing administration rested, in the main, upon the principle of such systematic opposition, so perpetuating a party, vigilant, ever ready to take advantage of the mistakes of its rival, and ever eager to supplant it and abide the same test of hostile scrutiny. But to return from this episode into which I have been led.

Mr. Skinner, as we shall see hereafter, was an intense conservative. His father was a mason, and that fact powerfully influenced him. He could not be floated off on any impulsive tide, and he would not hold an organization responsible for a crime, atrocious as it was, of a few individual members. He united with the opposition to the anti-masonic party, and when the anti-masonic was merged in the whig party, his attitude remained unchanged in the democratic organization. The result was that the standard 3,000 majority in "Old Genesee," anti-masonic and whig for forty years, was as Ossa on Pelion, and both on Atlas, over the hopes and candidacy of every man of the minority, for political promotion.

Mr. Skinner was often the candidate of his party for high honors, but the contest was always a forlorn hope ; and he led it with characteristic courage and devotion.

This conservative temperament, which led him to sympathize little with revolutionary movements in Church or State, gave the tone to all his public action. To stand in the ancient ways, to adhere to old compacts, to maintain the ancient reverences, and to heave the lead every inch of the way before venturing on an unknown deep, was the law of his nature. During all the revolutionary movement in his own Church, in 1837,

and on all the exciting questions which occupied the public thought during the quarter of a century previous to the war, he was a conservative every day and every minute of that long controversy. And, when that is said, we have simply stated that his action was in obedience to that centripetal principle which is an element as essential for the safety of the Church and the State, as it is for the harmony of the planetary system. I suppose it is vain to expect that the radical element, without which there would be little political progress, and stagnation would be the reigning law, will ever be at one with its balancing conservative force, or that either will ever recognize the other but as a foe. Both are right in themselves, both are wrong in their estimate of each other. Each obeys the law of its nature divinely implanted, and between the two society finds the middle path of safety.

While Judge Skinner was of this type of character, his conservatism was rational and practical. He always acquiesced in the final result of the controversy of opinions, and was among the earliest to seek to adjust institutions to the new idea. I have referred to the revolutionary movement in the Presbyterian Church in 1837, one of the results of that "irrepressible conflict" between the spirit of the past and the spirit of the present, of which our restless century has been so fruitful. He was a Presbyterian of the old school. He could be nothing else during the controversy. But when time and events indicated that the largest good would result from the reunion of the two bodies, he was of the foremost in preparing the way for it, and no voice in the ecclesiastical assemblies was more positive than his in urging that consummation. I well remember his enthusiasm over the reunion after his return from the General

Assembly where the final action was taken. He told me the story with deep emotion. He dramatized before my mind the scene of the Assembly, its glowing oratory, its rapture and enthusiasm, its spirit of Christian sacrifice and devotion. The occasion was to him a Mount of Vision from which he saw the future conquests over sin and evil, through the united power of the Church he loved. While there was great firmness, there was no pride of opinion in his nature. What might have appeared obstinacy to those who did not know him well, was but the force of conviction.

Judge Skinner was a man of profound religious convictions, and was broad and generous in his religious sympathies. Devoted as he was to the faith and interests of his own branch of the Church, he was without sectarian narrowness, and wherever he found the act and spirit of divine worship, he gave it his Christian sympathy. As an illustration, I will relate an incident which I am sure will not be misunderstood, and I think we may profitably dwell a moment on this element of a deeply religious nature. Soon after his return from his visit abroad, in a religious meeting of a social character, he was lamenting that so few in Protestant countries were in the habit of attendance upon public worship, and contrasted the fact with what he had observed in some of the Catholic countries of Europe. He then related a scene he witnessed in a Roman Catholic Church in the Tyrol. It was the Church of St. Gilgen, which forms so pleasing a picture in Longfellow's "Hyperion." The scene was on just such a Sabbath morning as is described in that romance, "when the woods, and the clouds, and the whole village, and the very air itself seemed to pray—so silent was it everywhere." The local peasantry were all assembled in the old church, and all engaged in acts of

worship and praise after the methods which many centuries have made sacred to the Tyrolese. He drew before our fancies a picture of the deep reverence and solemnity of the worshipers, and we were not left to conjecture the impression made on his own mind by this universal Sabbath religious observance. No one who listened to his words could doubt that he too was a worshiper with that humble congregation, feeling with them the common want of our humanity—rest for the soul, and communion with the Infinite Father. Their methods of worship were not his, but he looked through and beyond the externals, to the spirit they typify.

Those few words of charity and feeling, so appreciative of the goodness of the heart of God, who is not worshiped in the temple or on the mountain, but everywhere, in spirit and in truth, were more eloquent words and more self-revealing, than I had ever before heard from his lips. There may be those, religious as he, who would not have been so moved, in a Roman Catholic Church, to devotional sympathy. But, surely he is a gainer who has the wisdom that distils "the soul of goodness out of things evil," and that knows to rise from the poverty of the symbol to the wealth of the thing symbolized. Human sentiments and human sensibilities are the choral harmonies of the temple of Humanity. He who hears only discord in their commingled tones, is as one who may catch the melody of a solitary note, but has no ear for the myriad-voiced creations of Beethoven.

I have met few men in intimate relations in whom the religious element was so marked as in our friend. It seemed a part of his being. He was orthodox of the orthodox, and accepted absolutely the evangelical type of Christianity. But his religious element, as appeared to me, upon which this superstructure of faith was

builded, lay beneath all formulas, indeed all systems. He would have been religious in any age, and under any system ever formulated by devout souls. A system failing him, he would have erected the Athenian altar before which Paul stood reverently, and worshiped "the unknown God, if haply he might find him." It will be easily believed that such a nature had a ready answer to all the materialistic arguments of our time. The primal truths of religion with him, rested not upon reason, nor upon logic, nor upon any of the methods of the human understanding, but upon the instincts of the soul, its moral consciousness, and its need of God: a method of demonstration which shivers at a blow the whole fabric of materialistic negations, and is the basis on which the ultimate argument for religion must rest.

For man is "an infant crying in the night," and his hungry soul can no more find Deity by logic than the child of yesterday can by logic find the maternal fountain of its earthly life.

Wordsworth's Ode is our century's noblest interpretation of man's instinct of divinity:

Our birth is but a sleep and a forgetting:
The soul that rises with us, our life's star,
Hath had elsewhere its setting
And cometh from afar:
Not in entire forgetfulness
And not in utter nakedness,
But trailing clouds of glory do we come
From God who is our home.

Mr. Skinner was active as a reformer, ever recognizing the principle that innovation is not reform. He had no sympathy with slavery, and, as did many other good men, he at first hoped for a solution of the long-unsolved American problem, in the African Colonization Society. But the time had not arrived for an historic exception to

the law of the past, that social regenerations come through the shock of revolution. He was active in promoting that cause. He was an ardent friend of the temperance reform, yet never adopting extreme opinions or favoring extreme action. While he was judge I well remember he was a terror to violators of the license laws. There was no form of social evil that he did not oppose with the whole weight of his influence and character.

He was identified with the new State reformatory at Warsaw. He held society responsible for its neglect of the classes who, for want of proper culture, grow up vicious as well as neglected. He hoped little from legislation, but much from voluntary and associated action, for the elevation and reformation of the unfortunate and criminal.

When discussing the duties of society to neglected youth, he sometimes narrated an incident in his professional experience. He once volunteered to defend a lad charged with a felony clearly proved. He was born and reared amid debasing associations. Vice was his schoolmaster, his character the legitimate product of his education. He urged his acquittal upon the ground that society had failed of its duty to the accused, having never sought to raise him to a virtuous life. The defense appears sentimental, but it was successful. If the twelve did wrong as jurors, were they wholly wrong as men? This incident reveals the principle of Mr. Skinner's identification of himself rather with measures of reform of criminal youth, than with those which seek the repression of crime by vigorous punishment. Was he not right? Can there be any doubt that the Children's Aid Society of New York, which annually transfers thousands of youths, maturing in the gutters and hells of that city, for lives of crime, to homes of industry and virtue in the

West, has been worth to society, as an educator, more than a thousand prisons?

When we remember the barbarism of the criminal code of fifty years ago, and the inhumanity of public sentiment in relation to poor and neglected children, let us not doubt the progress of the spirit of Christianity. "Neither do I condemn thee, go and sin no more," is the ideal of that enthusiasm of humanity which seeks the repression of youthful crime through moral instrumentalities, rather than by the pillory, the whipping-post, and the chain-gang. It would not abolish the criminal code, but it would humanize it and render less necessary its execution.

Mr. Skinner was as widely identified with educational interests as any man in Western New York. He was for many years a trustee of the Geneseo Academy, and during nearly his entire residence in Wyoming a trustee of Middlebury Academy. He was also a trustee of the Ingham Institute at Le Roy.

It may be a surprise to some to learn that Mr. Skinner, many years before his residence in Buffalo, actively interested himself in the enterprise to establish here a university of high rank. He made repeated journeys for consultation on the subject, and was much disappointed when Rochester took the lead of us and founded its now flourishing college. He never abandoned his idea. Among the last conversations I had with him, he spoke of our State Normal School as the nucleus of a future university. When I called his attention to the fact that commercial towns had not generally proved favorable to the growth of universities, he abated nothing from his confidence, but found, as he thought, in the reciprocal influence of commerce and learning, an argument for so associating them.

This enumeration of his official relations will realize to us that his activity here, in connection with public institutions, was no new-born zeal, but the habit and principle of the most active part of his career.

In 1860, Mr. Skinner removed from Wyoming to Buffalo. We can hardly realize what a struggle this break up of old associations cost him. The quiet and repose of his beautiful country home and its surroundings, identified with his tastes and affections as they were, had become a part of his being. His local attachments were very strong. The very trees he planted grew up as friends to him. It was several years after he purchased his Buffalo property, before he could bring himself to the point of changing his residence. Once he sold his Wyoming home preparatory to the removal, but he was so unhappy at seeing it pass to other hands, that he repurchased it, and deferred for a considerable period his final coming to Buffalo. But after his retirement from the active duties of his profession, he made our city his residence.

What he was among us, from that time to his death, is a part of the history of our charitable, religious and educational institutions. He united himself with the Calvary Church, of which he was a ruling officer. At the time of his death he was president of the Buffalo General Hospital, a member of the Board of Education of the Presbyterian Church, president of the New York State Asylum for the Blind at Batavia, president of the Buffalo State Normal School, vice-president of the Reformatory in Warsaw, president of the Erie County Bible Society, a trustee of the Buffalo Female Academy and a trustee of the Buffalo City Savings Bank.

His was not an idle old age. His life and talents he held to be sacred trusts, and for the ten years of his

Buffalo residence, except an interlude of eighteen months abroad, he devoted his leisure to the duties of a useful citizenship.

It is fresh to our recollection that he occupied himself for weeks, not very long before his decease, in endeavoring to persuade us to do ourselves good by providing for the payment of a paltry debt of a few thousand dollars—a dead weight on the neck of our hospital. His success, though not complete, was as near to completeness as any charity enterprise can be with us which is not under the auspices of woman. She alone can work financial miracles for charity, and in her hopeful vocabulary “there is no such word as fail.” Happily the hospital is now her ward.

In 1867 he made a visit to Europe with his family. I doubt if it ever falls to the lot of an American traveler abroad to enjoy more than he did. Europe with its art, its culture, its incarnation of that past with which America, so fresh, so self-asserting, so purely the creation of the hopeful, restless, revolutionary present, has so little sympathy, kept all his enthusiasm in constant glow. Almost every day was to him as a new creation bringing with it the gladness of a fresh inspiration.

It was while abroad that a great sorrow cast its shadow over the heart and home of our friend. His only daughter and child, and only grandchild, died while the family were in Switzerland. It is not for us to lift the veil of that sorrow, and I leave its heavy folds untouched.

He returned with the other members of his family in December, 1868, to resume his labors in the many spheres of beneficent action to which the public had called him ; labors never suspended except by his last sickness and death.

Of the personal characteristics of Mr. Skinner, one of the most marked was his habit of incarnating, so to speak, in himself every interest that commanded his sympathy. Whatever represented his opinions was invested with an almost sacred character. This was true of his Church, ever an object of interest and affection. It was true of his party, which to him became personified in its leaders who had his confidence. To attack it was to attack them and to challenge their wisdom, their integrity, or their patriotism. Their honor he made his own. He was an enthusiast. A speech that much interested him was always "eloquent." A sermon which, on a different temperament would make little impression, often profoundly impressed him. Sympathy was the touchstone that transmuted everything into gold. This temperament gave a warm coloring to many a sky which had been leaden to other natures. I speak of his later years, for during his middle life he was a great sufferer from nervous depression, but this had all passed away before he came among us, and we were accustomed to look at his face as the sign of cheer and hope, so beaming was it with kindliness and joy.

Great simplicity and dignity of character were combined in him. He was proud in the sense in which honor and conscious integrity have a right to be proud, but his was a latent pride, a covert fortress for the defense of character and self-respect. There was something of the old chivalry in his nature. He paid reverence where it was due. There was ever in his bearing that courtesy and regard for the sensibility of others which constitute the highest charm of social manners. His ordinary method of speech was subdued and gentle. Baseness would rouse him from his usual calm, and then it was made to feel the force of his indignation. He was faith-

ful to the obligations of friendship, and to old friends he clung with romantic attachment.

He was twice married. In 1830, to Catharine, only daughter of Mr. Richard M. Stoddard of Le Roy. She died in 1832, leaving no children. He was again married in 1837 to Sarah A., daughter of Mr. Henry G. Walker of Wyoming. Their only child was the late Mrs. Josiah Letchworth. He died June 6, 1871, after a few weeks' illness.

His last years, with the exception of the single sorrow to which I have alluded, were serene and happy. He had won all which professional eminence and purity of character could secure to him,—reputation, ample fortune, private esteem and public respect. His life had been widely useful, his example pure.

Death found him amid the sweets of friendship and the ministrations of love, his pathway to eternity luminous with the light of religion.

MILLARD FILLMORE.

REMARKS BEFORE THE BUFFALO HISTORICAL SOCIETY, ON SECONDING
RESOLUTIONS UPON THE OCCASION OF THE DEATH OF EX-PRESIDENT
FILLMORE.

MR. PRESIDENT:

How much of the renown and glory of our city have departed within the past week! Our two most illustrious citizens, eminent alike in private virtues and distinguished public services, have in quick succession been summoned away. It is within a single week that we were startled by the intelligence that the pure, the incorruptible, the great-hearted Hall was cut down in the midst of his usefulness and honor. To-day we stand, as it were, by the grave of his first friend, whose public career was crowned with the highest honors of the republic, and whose private life blossomed and fruited with every gentle humanity, with every charm of friendship, and every social grace. No, sir, I do wrong in saying that the renown and glory reflected from this citizenship have departed. The sun of a great character never sets. The beauty and lustre of their lives will be a lasting inspiration.

I know the loss we are called upon to mourn to-day is national. I know that the character and fame of Mr. Fillmore belong to the country and to mankind. But there is a peculiar sense in which his loss is ours. He was our neighbor and friend. He had aided in forming nearly all our institutions of art, charity and education, and he gave the weight of his great name and character to every val-

able enterprise which sought to promote our social interests. He took upon himself every burden imposed for the public good, and his hand and his voice, his heart and his purse were ever at the service of his fellow-citizens. Then he was a part of our daily personal life. In the street, at his own hospitable home, in all our homes, he was ever and always the same courteous gentleman—the same appreciative friend, the kind neighbor, seeking by good and unostentatious offices to make others happy. Wherever he was he created an atmosphere of kindness and cheer—most felt and most appreciated by those who stood most in need of social sympathy. His personal relation to Buffalo he always recognized and spoke of with interest and affection.

But we may be permitted here to dwell for a moment on the broader side of the life of Mr. Fillmore. He rose to the foremost rank of American statesmen, and his life and character in his public career have become a part of the permanent history of his country and his time. What was the secret of that marvelous success which took the modest apprentice, with little advantage of early education, by rapid steps from the legislative hall of his own State to the presidential office? It was not by genius, it was not by the skillful combination of force through political necromancy, and, least of all, it was not by the low arts of that lowest of all characters that ever crawls to high places—the arts of the demagogue—that he was borne to this dazzling elevation. What then was the secret of this success so rapid and so brilliant? It may be expressed in these three words, adequacy, fidelity, opportunity. He never entered upon an office that he did not at once rise to its plane and demonstrate his ability to fill it. His character challenged public confidence, and won it from his very entrance upon the race.

He dazzled nobody by his brilliancy, but he set himself at hard work in the legislature of his own State and in congress, and, leaving to whoever sought it, the reputation of genius, he won the solid fame which follows honest work wrought out into beneficent legislation and public policy. As an illustration of this, take his labors as chairman of the committee of ways and means in congress in 1842. A new administration came into power upon the issue of a revision of the revenue policy. A revision of the tariff was a great measure of the then dominant whig party, and to the enormous details attending it Mr. Fillmore addressed himself with characteristic patience and industry. He devoted months to its study. He mastered it in all its details, and the whole complex system became to him as his A B C. He was upon the floor of congress during the long debate for the measure what Sir Robert Peel, to whom he bears a strong resemblance in character, was in the house of commons in a similar discussion—master of the situation. The most insignificant item of our commerce and all its relations to our industry, he understood as a master. No skill in debate could disconcert him. He was always ready, always master of the facts, and as such he carried through both his measures and himself. He came out of that congress with a national reputation as a practical, honest, adequate statesman. As such his own State accepted him, and made haste to crown him with the highest proofs of her confidence and esteem. He barely failed of an election by his party as governor, having for his opponent by far the ablest and most popular man of the opposition—a man like Mr. Fillmore in many of his characteristics—a man whom New York will long cherish as one of her noblest, purest, best of sons—Silas Wright. He was elected comptroller subsequently, an office hardly

to his taste, yet one whose duties he discharged with great ability.

And from this office he is transferred to the broader sphere of national politics. His nomination as vice-president was simply the recognition of his prominence already won, both in his own State and at Washington. The death of his lamented colleague, General Taylor, imposed upon him as the executive of the nation, some of the highest responsibilities of government. And here we enter upon ground where the ashes of a fire intensified by every element of human interest, ambition, sentiment and passion, are still warm, if not of burning heat. That struggle and its incidents and surroundings and its master leaderships, who that witnessed it will ever forget? It was the battle of the giants, almost the last great conflict of the political leaders of the first half of our century, Webster, Clay, Calhoun, Douglas, Chase, Seward, and others of less fame, leading the conflict with all the fire of genius and all the enthusiasm of conviction. Can we have any doubt that the moral providence which governs the world, overruled that strife for the best—best for the country—best for the ultimate triumph of principles of human freedom? It is to be remembered that Mr. Fillmore came to the administration of the government in the transition period of public sentiment and interest on the slavery question. Mr. Fillmore called about him some of the wisest statesmanship of the land—and when the law-making branch of the government presented him a scheme for the final settlement of the disturbing questions of the hour, he had but to satisfy himself they violated no constitutional principle, and to give it his executive sanction. Mr. Fillmore regarded the compromise measures a finality and pledge that every advantage which had been given to freedom and to free territory

by the settlement of 1821, should remain forever intact. But this, sir, is for History, and to her calm judgment I would leave every act and every actor in that great drama.

Mr. Fillmore's administration was an eminently conservative one, as was his character. Let me give a single illustration. The brilliant Kossuth, before he landed upon our shores the guest of the nation, had kindled an enthusiasm in the hearts of the people almost wild with very passion. His advent to the country was the beginning of an ovation until his departure, which has no parallel in our history. Fascinating everybody by the charm of his genius and the magic spell of his eloquence, he had one single purpose, which for a moment he never lost sight of, and which he pressed upon the popular attention every day and almost every hour of his stay. It was to induce our government and people to interfere in the dispute between Hungary and Austria. In short, to intervene between the contestants and so secure to Hungary its independence. Kossuth was feted everywhere, and almost everybody seemed to lose their senses when under this wonderful magnetic force of genius and patriotism. After the dinner given in his honor at Washington, at which both Mr. Webster and Mr. Seward crowned him with the richest garlands of their own genius, he presented himself to the president and formally made known his wants and almost demanded the interference which had been the text of all his appeals to the country. This was wholly unexpected by Mr. Fillmore; but he was not thrown off his poise, and in a few cool but direct and forcible words, stated to the patriot and enthusiast, that our government adheres to the principles laid down by Washington, that it would form no entangling alliances with foreign powers, and there could be no departure from that policy. From that hour, Kossuth's

mission as a propagandist of his wild opinions was a failure, and the country was brought back to its "pauser reason."

I have said Mr. Fillmore was a conservative statesman. I recognize the value at times of less cautious statesmanship. I know no other remedy for deep-seated abuses in Church or State but that force in society we call radicalism. But I know that without its complement, conservatism, it is like Phaeton driving the coursers of the sun, marking his track with desolation and ruin. Mr. Fillmore, like his friend and his chosen colleague in the government, Mr. Webster, was in sympathy with every humane sentiment, but he looked upon our government as a delicate and complicated organization, full of checks and balances and constitutional restraints, and it was not his nature to hazard any uncertain experiments, or for slight causes to make any departure from the track laid down by the fathers of the constitution. He stood by the ancient ways.

Mr. Fillmore's name was the synonym of integrity and honor, and the story of his rise from the humblest beginning to the heights of human distinction, like that of Lincoln, will be an inspiration to American youth for ages to come. His unpurchased, unsullied career under our republican institutions, is a patent of nobility more lasting and more noble than was ever bestowed by the hands of anointed kings.

It is fitting that as a society we honor his memory. He was its early friend, was present at its birth, watched with interest all its career, enriched its archives, and by his large intelligence and quick sympathies imparted a fresh interest to almost its every meeting down to his last illness.

It is but about four weeks since, after the reading of a very interesting paper upon Japan by Mr. Shepard, he

gave us an account of the first movement made to open that country to the commercial intercourse of Western Europe and America. It is to the honor of his administration, that the policy was inaugurated which broke down Japan's walls of exclusion, and prepared her for the great advance she has made towards a higher civilization and renovated institutions.

But I have trespassed too long already, and I second the resolutions offered.

NATHAN K. HALL.

A MEMORIAL PAPER READ BEFORE THE BUFFALO HISTORICAL
SOCIETY, MARCH 30, 1874.

THE early days of March, '74, will long be associated with national bereavement and sorrow. An ex-president, universally honored, and his first friend and chosen associate in the conduct of the government, both brought into the most responsible of human relations at a period in our history almost revolutionary, both conservative by temperament, by habits of thought, and by that awful sense of responsibility which rejects the impulses of enthusiasm for the guidance of a passionless judgment, paying their highest political homage to constitutional obligation as the basis of all good faith between States and the strongest bond of federal union, were summoned from our midst in startling succession.

While we were paying the last offices to our own great dead, fell in his high place in the national capital, a son of New England,* born to fortune, born to education and to the rarest culture of the rarest gifts; endowed with genius and courage, and a love of his race which inspired a long and illustrious career that will keep his name in grateful memory so long as freedom is precious, and slavery hateful to mankind. Viewing some of the great questions of their time from different points of observation and responsibility, yet seeking a common end—the

* Senator Sumner.

advancement of the best interests of the country and the human race—each discharged his duty with a conscientiousness and patriotism worthy the golden age of the republic. This sad time is not without its lessons, and to those who deprecate the injustice of partisan controversy, not without its consolations.

You have devolved upon me the office of preparing a sketch of the life and character of Judge Hall. Happily he has left a brief autobiography of his early years, designed for his family only, but which I have been kindly permitted to consult for the purposes of this paper.

Nathan Kelsey Hall was born in Marcellus, Onondaga county, New York, March 10, 1810. His father, Ira Hall, son of Dr. Jonathan Hall, a practicing physician of that town, resided with Nathan Kelsey at the time of his son's birth. Of Mr. Kelsey, Judge Hall speaks as "a substantial farmer in the best sense of the term, a man of strong mind and excellent judgment, unswerving integrity and wise benevolence." In the family of Mr. Kelsey, young Nathan lived until about sixteen years of age, and was to them as a son. The autobiography to which I have referred, speaks of his relation to Mr. and Mrs. Kelsey in terms of filial affection. They manifested the deepest interest in his welfare and watched his career with satisfaction and pride. His educational advantages were such as were afforded by the district-school, in which he was thoroughly instructed in the primary elements of our English education. His teacher for several winters was the late Moulton Farnham, Esq., of Attica, an excellent lawyer and estimable gentleman. When not in school he assisted on the farm in the usual occupations of a farming lad.

In 1818 Mr. Hall's father moved into Erie county, settling permanently in Wales, where he followed his trade and kept up a small farm. In 1826 young Hall took his adieu of the Kelseys and went to live with his father. Says the sketch, narrating this part of his history: "I parted from Mr. Kelsey, tears streaming from the eyes of both of us, and was soon on my way to the West." He was for a few weeks, after rejoining his father's family, a clerk in the store of Alba Blodgell, in Alexander, Genesee county. His father was a leather and shoe manufacturer, and Judge Hall makes a playful reference to his own attempts in those arts. "After my return from Alexander," he writes, "I remained for a time at Wales, working part of the time in a sugar-orchard and the residue in the shoe-shop, where I soon learned to tap coarse shoes and boots in a very coarse way. I believe I even succeeded in making a pair of small and very coarse shoes. Still I can boast of no great success as a son of St. Crispin, and when I left the shop there was no very serious violation of the good old adage, 'Let the shoemaker stick to his last.'"

Efforts were at this time made to secure him a situation in a store at Aurora. They failed, and then application was made to Millard Fillmore, at that time a practicing lawyer at Aurora, to take him as a student in his office. Here was the turning point in young Hall's life. The failure to secure a merchant's clerkship gave the nation the statesman and jurist. Mr. Hall gives the following account of his entrance upon his new vocation, and of his occupation and early struggles:

On the first day of May, 1826, I left the tan-yard and the shoe-shop for the law-office. Mr. Fillmore had a small office, a well selected law-library of about one hundred and fifty volumes, and a village-library of about one hundred and fifty vol-

umes was kept in his office, he being the librarian. Mr. Fillmore was then twenty-six years old and not yet admitted to the Supreme Court. His business was small, and when not employed in writing, I spent my time in reading very assiduously such law-books as he directed, and such miscellaneous books from the village-library as his or my judgment approved. In this way I spent six months in his office, and then took a district-school about three miles from my father, and taught it for three months at eleven dollars per month, probably as much as my services were worth. At the end of the school-term I returned to Mr. Fillmore's office, a wiser, if not a better youth, and again entered upon my legal studies. I continued my studies with great assiduity, being sometimes employed as surveyor by private persons and by the commissioners of highways, at one dollar and fifty cents and two dollars per day. Mr. Fillmore was glad to render the same services for the commissioners of highways and citizens of Aurora.

Who could cast the horoscope on that eventful first of May, and foretell the fortunes of those two, both poor, both unknown and unpatronized, neither with any dream that the future had anything for them beyond honorable, independent and comparatively obscure lives? The one but a few years out of his apprenticeship to an honorable and useful trade, and the other from the farm and shop, and there beginning an association which should stretch out through almost half a century, culminating in a mutual friendship that knew no waning, and bearing them together to the highest seats of power and honor. Viewed in the light of their career and of the sad pageants of this month of March, that morning scene is most suggestive.

I find in a memorandum-book which young Hall opened on the day he entered Mr. Fillmore's office, the following entry:

Clerk and student at law in M. Fillmore's office, Aurora.
Motto—integrity, industry and perseverance will lead to honor,
riches and universal esteem.

July 4, 1829.

N. K. HALL.

This motto is repeated, and so emphasized, on another page. It is worthy of Franklin, and furnished the keynote of his after-life. In the sense in which he used the term "riches"—independence—his life was an illustration of his motto.

Mr. Hall continued with Mr. Fillmore in Aurora, teaching school winters, surveying as opportunity offered, and so continued until July, 1831, when he entered the office of the Holland Land Company, as clerk, under the late Col. Ira A. Blossom, the local agent. He remained in this new relation thirteen months, still keeping up his legal studies during leisure hours. Of Col. Blossom he speaks in grateful terms, as one of his warmest friends. On the fifteenth of November, 1832, Mr. Fillmore invited him to a partnership, Mr. Hall having been admitted to the bar as attorney and solicitor the July preceding.

With the formation of this partnership, we find him fairly started on his professional career, fully equipped by character, by application to business and capacity for work, for all the success he could fairly win. He was soon selected for various local trusts. A list of his early official positions is a high eulogium on his character and qualifications.

In the year 1839 Mr. Hall, having been appointed by Governor Seward Master in Chancery, formed a partnership with O. H. Marshall, Esq., which continued one year. In 1842 he formed a partnership with Dennis Bowen, Esq., which was dissolved in 1850. But previously to these later relations, and on the tenth of January, 1836, was formed that professional triumvirate which has

become historic, and which was destined to a controlling influence both in the State and Nation. The law-firm of Fillmore, Hall & Haven was then organized, Mr. Fillmore being just thirty-six years of age, Mr. Hall twenty-eight and Mr. Haven about twenty-six. I doubt if the history of the country affords a parallel instance of three young men so associated professionally, with none of those aids which established family position, or wealth, or liberal education are supposed to give, attaining severally such professional and political eminence, and that without jealousy of each other, and with the most perfect loyalty to their mutual friendship. Each brought to the common stock talents peculiarly his own, and all were able lawyers.

Will you permit me to linger a moment over the memory of

MR. HAVEN.

He was unquestionably one of the most rarely endowed men we have ever had among us. As a *nisi prius* lawyer Western New York had not his superior. He had no eloquence, never carried juries by the storm of passion or the magnetic power of what we call genius. But somehow he carried them. He was simple, but clear and direct in presenting a case, and no man found readier access to the understandings and sympathies of the formidable twelve men.* He was always cool, never betrayed into confessed surprise, was full of resources, and went through a trial with the tone and air of a master. Common sense, good nature, a ready wit, a bright intellect, a winning address, were the great elements of his power over a jury. In a political canvass, the same characteristics made him the most popular of men before an audience. His pleasantry always amused, while his logic convinced, and his unbounded good humor made him a

universal favorite. During the six years he was in congress he was one of the most useful of its members. Mr. Washburn, our present minister to France, who was in congress with him, but not always in political sympathy, told me that on other than purely party questions, Mr. Haven was the most influential member of the body. Every member knew that he brought integrity and intelligence to the study of every question of public interest before the house, and that it was safe to follow his lead. He died in the maturity of his powers, too early for his many friends, too early for the country he could serve so well. Remembering the associated and distinguished careers of those three men, there is a touching pathos in their last repose, side by side, in our city of the dead.

Judge Hall brought to his profession perfect conscientiousness, great industry, dispatch of business in hand, a clear, analytical mind, in short, every element which goes to make a complete office-lawyer and a safe counselor. He was an admirable commercial lawyer. This was clearly revealed to the public, when in 1842 he was appointed first Judge of the old Court of Common Pleas of Erie county. Before his advent to the bench of that court it had no standing as a commercial court. But during Judge Hall's term of service it was acknowledged to rank among the foremost of the State. But it was as an equity lawyer that he was pre-eminent. His nice sense of justice, his patience in investigation, and his love of those broad principles of equity which are the basis of all just dealing between men, his ready sympathy with *cestui que trusts*, who as widows, or as orphans and infants, held relations of dependence upon trustees, all inclined him to make equity jurisprudence his specialty as a lawyer. When he left the profession to take a place in Mr. Fillmore's cabinet, his reputation as an equity-

lawyer was second to that of no man in Western New York. And there can be no doubt, had he continued the practice of his profession, he would have achieved great distinction in his favorite branch of legal study, and reaped the just reward of his diligence and learning.

The character of his mind was rather analytical than creative. He had no warmth of imagination, no fervid fancy. He had a thorough knowledge of legal principles, and that integrity of mind which not only never imposed upon others but did not permit him to impose upon himself. He had a calm temperament, a habit of patient investigation, a sound judgment, a ready application of legal principles to the case in hand. How highly these characteristics were appreciated by his professional brethren appeared in his popularity as a referee while he was in the profession. I think it safe to say that no Buffalo lawyer, at the time I refer to, was so frequently chosen to act as referee in important cases.

In August, 1852, Judge Hall was appointed by President Fillmore United States District Judge of the Northern District of New York. This office he held for nearly twenty-two years, discharging its duties with a fidelity and ability which rank him among the most laborious, useful and upright of the federal judiciary. He entered upon the office at a new era in its relations to our inland commerce. The business upon the lakes had within a few years very largely increased, giving rise to much litigation to be settled by the principles of maritime law. It had then recently been decided by the Supreme Court of the United States that our inland lakes were within its admiralty jurisdiction. This threw upon Judge Hall's court a large amount of litigation involving principles and practice peculiar to admiralty law. This was an entirely new field to him, and he entered upon it as a student, with a

diligence and zeal which made him master of that branch of the law. I have been told that when first invited to hold a term of the District Court in New York, there were several important admiralty cases on the calendar which counsel were disposed to put over the term, feeling that an inland judge could know little law governing cases connected with ocean commerce. But on the trial of one or two such cases before him, the profession were surprised by his profound knowledge of the principles of the admiralty law, and he was ever after one of the most popular judges called to preside at the New York Circuit. His selection was always hailed as a happy fortune for the bar and for suitors. His new career as judge imposed upon him the necessity of studying another and very difficult branch of law, that of patents, an exclusive specialty even among lawyers. He thoroughly mastered it, and his opinion became high authority. The complicated system of our revenue laws imposed upon him fresh labor, and to no judge is the country more indebted than to him for a just interpretation and enforcement of the revenue laws. After the passage of the present bankrupt law his court was literally overwhelmed with questions requiring discrimination, judgment and learning to solve. With the enormous labors of this court before this fresh draft upon his energies, it is easy to see that the settlement before him of several thousand bankrupt cases during the last few years, some involving millions of dollars and the rights of hundreds of creditors, demanded a strength of body herculean, and of mind adequate to every exigency. As an interpreter of the bankrupt law he became an authority. He placed no limit to his labors either in mastering the law or in arriving at an equitable settlement among conflicting creditors of bankrupt estates. Here was the weight that broke him down. He undoubtedly bestowed more labor

on his cases than duty required. He did not know how to work easily, he only knew to do the utmost that could be done, to exhaust every subject presented to his review, to sift to the bottom every complication of facts, and to leave a case submitted only when he had mastered it to the last detail. He was always in harness, and scarce knew what recreation was.

Very few of Judge Hall's decisions were finally reversed. The only criticism I ever heard made upon his method in the trial of cases before him, was to the effect that in taking testimony and weighing it, he failed to duly discriminate between honest and dishonest witnesses. It was accompanied by this explanation, that the judge was so honest himself that he did not readily suspect dishonesty in others. However this may have been, the fact that on review his decisions were so generally sustained, is sufficient proof that suitors went out of his court with substantial justice so far as he was called to administer it.

I do not know how I can better supplement what I have said, than by quoting some of the expressions made before Judge Blatchford's court, in the southern district, as I find them reported in the New York papers. Hon. E. W. Stoughton, the eminent counselor of New York, the day after Judge Hall's decease, moved the adjournment of the court out of respect of his memory, and in the course of his address said as follows:

* * * * *

Judge Hall entered upon the discharge of his duties with a high sense of sacred obligation imposed upon him. He has often presided in this district, both in the Circuit and District Courts. During almost his entire judicial life it has been my good fortune to know him well and to enjoy, as I believe, his confidence and friendship. I have been often before him in the trial and argument of cases, some of which were of great

length and difficulty. His efforts to thoroughly understand the most complicated were ever persistent and laborious. He rarely conceived and rarely expressed at an early stage of any cause impressions for or against either side. He was slow to arrive at conclusions, and seldom did so until he had most carefully investigated and deliberated upon the questions to be determined. His love of justice, his desire to do justice, impelled him oftentimes to the performance of judicial labor of the most painful and minute character, and he brought to his aid in this, stores of exact legal learning, the accumulations of many well-spent years. He heard counsel with patience, and ever treated them with courtesy and kindness. His judicial life has been pure and spotless, and to his labors and his example the Bar, the public and even the Bench are greatly indebted. A more satisfactory life to him, one which could more completely gratify the pride and the honest ambition of the widow and descendants who mourn his loss, cannot well be imagined. He had occupied high places in the State and on the Bench, without having sought or secured them by unworthy means, and he has ever so discharged his high and responsible trusts as to merit the approval and the applause of the best among his fellow-men. He was a worthy associate upon the bench of that great judge whose loss we still sincerely mourn (Nelson), and whom, after a few months of separation, he has gone from us to join.

If Judge Hall does not rank among the few great judges who have established the principles of law and equity as applicable to trade and commerce, or who have interpreted the fundamental law and defined the limitations of State and Federal authority, there can be no doubt of his place in our judicial history as one of the most upright, laborious and adequate judges that have ever honored the American Bench.

One characteristic of Judge Hall in times of popular excitement provoked some criticism. He had as profound a reverence for law and constitutional right and authority

as it is possible for man to pay them. Living law to him was the highest representative of the divine on earth. And whether in peace or war, whether it involved the rights of persons or the government, it was to be enforced without fear or favor. "*Salus legis suprema lex*" appeared to him the safer maxim than the "*salus populi*." He saw no safety for the citizen in irresponsible authority. His judgment might have been always right, or sometimes wrong, in his vindication of the inviolability of the law. But one thing is certain, that for the rights of persons as maintained to-day in England and in our own country, we are indebted to judges of the stamp of Judge Hall. Men who could go to the tower or the block with heart and cheek unblenched, but who would not deny the protection of the law to the poorest subject, the humblest citizen, against commons or kings. Judicial independence, under the sanctions of an honest nature, a democracy cannot afford to undervalue, and this element, so needful for the protection of the citizen in times of civil commotion and alarm, was pre-eminent in Judge Hall. Herein was the moral grandeur of his character. Underneath that modest mien and unaffected simplicity, was this latent element of power which, on occasion, could rise to the sublime of judicial assertion. Without this quality a man may be a learned judge but, in the highest sense, he cannot be a great one.

Judge Hall had a short legislative career, having been elected a member of assembly in November, 1845, and a member of congress in 1846. He declined a re-election to congress. He took high rank in both bodies as a capable and useful legislator. He was distinguished for his intelligent labor in committee, and for his attention to the general business before the house. At the close of his congressional term he returned to his profession from

which he was called to yet more responsible relations in the government.

The death of General Taylor brought Mr. Fillmore to the presidential office, and in forming his cabinet he called Judge Hall to the office of postmaster-general. He was fully in sympathy with the president upon all the great questions and measures of the time, but his own immediate responsibility began and ended with his own department. He held the office of postmaster-general from July 3, 1850, to September 13, 1852, and in September, 1851, was for a short time acting secretary of the interior. To his cabinet office he brought the same zeal, energy, judgment and fidelity which had distinguished his professional and official life. As a cabinet officer he took high rank and was especially valued by his colleague, Mr. Webster. There are two classes of statesmen; the one represents the doctrinaire and innovator, who is sometimes utopian and sometimes wisely in advance of his time. Another class has little sympathy with experiments, and prefers to stand by the established order so long as it seems to work substantial justice. Judge Hall was a representative of the latter class. He was no doctrinaire, and he was slow to accept new theories until his judgment told him it was time for the old to die; he was a conservative statesman, and gave to that school his cordial, because his honest, co-operation.

The bare enumeration of his official trusts shows how absolutely he was the servant of the public. Many of them in the earlier part of his career were humble offices, sought, undoubtedly, for the aid they would give him in his struggles, but the duties of each and all were as faithfully discharged as were those of the highest dignity and responsibility. It was this proved adequacy and tried fidelity that secured him the most absolute public confi-

dence, and made easy and natural his advancement to the highest trusts under the government. And it was well said at the meeting of the Bar that this was the crucial test, and that his character had come out of it as solid gold. His integrity was almost of a romantic type—no importunity of friendship, no precedents of favoritism could ever bend him from the most inflexible observance of his rule of duty. This was illustrated when he was postmaster-general, in his award of contracts for printing and mail services, when he never knew any difference between friends and foes and had no eyes for anything but the most advantageous offers for the government.

The many offices held by Judge Hall having more or less emolument, never enriched him, while the greater portion of his official life, and that from which the public reaped the largest advantage, was, measured by the value and amount of services rendered, pecuniarily unrecompensed. His judgeship did not yield a support, to say nothing of its dignity, which is something so long as a worthy man holds the office.

But Judge Hall did his full share of service in founding and maintaining those institutions of education and charity which are the best exponents of our social spirit. As early as 1837, when in the city common council, he was chairman of the school committee, and in connection with O. G. Steele, Esq., then superintendent of schools, prepared the bill which revolutionized the former system and prepared the way for the present system of our public schools. He was for many years president of the Buffalo Female Academy, and was at the time of his death one of the trustees of the Wells Seminary at Aurora, Cayuga county. He was also president of the Board of Trustees of the State Normal School in Buffalo. He was one of the trustees of the Ketchum Memorial

Fund. He was one of the founders and presidents of this society, in which he always took a deep interest. In short, he lived and died in the public service, shrinking from no labor imposed, discharging every duty as a citizen with scrupulous fidelity and honor.

In every private and domestic relation his life was beautiful. His autobiography has an almost religious tone of gratitude to his father's house, and to the early home that gave his childhood protection and love. He was a fond kinsman, and a wide circle dwelt in the sunshine of his considerate and sacrificing nature. He practiced a liberal and unostentatious charity. He realized the ideal man of the Arabian poet:

He delivered the poor that cried, and the fatherless and him that had none to help him. He put on righteousness and it clothed him, and his judgment was a robe and a diadem.

He reverentially recognized the moral Providence of the world. He had a pure heart, which is the vision of God. His worship was neither a ceremony nor an asceticism. His organization required other methods of expression than these. In this connection I shall take the liberty to quote a single paragraph from his autobiography, sacredly personal as is its character:

That much of my success has been due to my own efforts, I feel bound to say in encouragement of those who shall come after me, while I admit with thankfulness and gratitude that much more has been due to the kindness of the Universal Father who "cast my lines in pleasant places," and in the course of His benignant providence afforded me abundant and yet repeated opportunities to put to profitable and honorable use the talents He had given me.

But what can I say of Judge Hall as a man, which has not already been expressed in every form of tribute which

a public can pay to one it honors and reveres. Words almost fail us when we enter the domain of his private life and contemplate his character as it unfolded in the relations of friendship and home. He might have appeared stern and severe to those who knew him not, but to those who sought him he was sweet as summer. Who ever saw him ruffled, except in presence of some cruelty or wrong? What a benediction was in that friendly, beaming face! Living without ostentation or display, yet with tasteful comfort, he was a princely host. "This house is yours," says the courteous Castilian; "this house is yours," you read in our friend's greeting and hospitality. He was born for friendship, and he abounded in those little offices of kindness which are among the sweetest solaces of life. He made our burdens lighter by his love, and we went out from his presence with fresh courage and renewed strength for life's weary march.

He had a large nature, full of truth, loyalty and honor. His word had the sanctity of religion, it was a pillar of constancy. His public career was pure as his private life. All the elective offices he ever held were bestowed, not purchased. If modern politics are in the least degenerated he did nothing to degrade them. He never offered bribes, he never debauched a constituency. He never solicited office with votes in one hand and money in the other. He was fond of place, but no ambition ever led him to sacrifice his manhood. He never dragged his robes in the mire or sullied those of other men. He was ever pure, self-respecting. He was no flatterer of the people—he had no arts, no strategy—his capital was his character. He was a gentleman of the old-time school, a type of a class rapidly passing away. Science teaches us that the different geological periods have furnished, each,

distinct formations and species of vegetable and animal life, the new ever superseding the old. Our modern society seems to have a somewhat analogous experience. This period of unrest, of concentration of capital and energy in great centers of population, of material development and the new paths it opens for personal distinction, will give us types of commanding energy and force, but without the calm, the dignity and silent power of the old school.

Judge Hall married on the sixteenth day of November, 1832, Miss Emily Paine, of Aurora. Five children were born to him, of whom but one survives—Mrs. Josiah Jewett of this city.

For several years previous to his death his constitution gave repeated signs of giving way before the severe labors of his office. On the week previous to his death he had been in daily attendance upon his official duties. On Sunday, March first, he did not feel as well as usual and kept his bed. I saw him at seven o'clock in the evening, when he was cheerful and hopeful, with no appearance of extreme illness. He fell asleep at the usual hour, and about four o'clock in the morning, after a slight spasm, he died. And so he passed forever from the scenes of time.

JOHN C. LORD, D. D.

A MEMORIAL PAPER READ BEFORE THE BUFFALO HISTORICAL
SOCIETY, APRIL 2, 1877.

THE Historical Society devotes the hour to reminiscence and study of the life, character and career of the late Rev. Dr. John C. Lord:

He was born in Washington, New Hampshire, on the ninth of August, 1805, and was the son of Rev. John Lord and Sarah Chase, who was the cousin of the late Chief Justice Salmon P. Chase. At the age of twelve years he entered Plainfield Academy, in his native State. He subsequently entered Madison Academy, and afterwards Hamilton College of New York, where he remained two years. He graduated in the same class with our distinguished fellow-townersmen, Judge Clinton and the late Dr. Thomas M. Foote. After two years' editorial experience in Canada, he came to Buffalo in 1825, entering the office of Love & Tracy, then the leading law firm in Western New York. He taught a select school for a few months, having Orsamus H. Marshall, Esq., and Dr. James P. White, as pupils. He was admitted to the bar in 1828. In the latter part of that year he was married to Miss Mary Johnson, daughter of the late Dr. Ebenezer Johnson, the first mayor of Buffalo, and one of its leading citizens. That marriage had its specially romantic incident, which survives a pleasant tradition of the time. In the same year he formed a partnership with Judge Love,

which continued about two years. During those years he held several civil and military commissions, the prizes offered to the enterprise and talent of young professional aspirants.

He brought to his profession talent, health and ambition. He had also, in an extraordinary degree, a faculty for accumulation, and a stimulating love of property. He had the forecast and the pluck, which, with opportunity, lead to fortune. There seemed no element wanting to assure him the largest success in his chosen profession.

Yet, in the midst of his early triumphs, to the surprise of all who had watched his auspicious beginning, he heard the voice which arrested Paul on that journey to Damascus, and obeyed it. From that hour he turned his back on all the allurements of a worldly ambition, for the labors and sacrifices of the ministerial office. This act, which shaped all his long public career, reveals, as nothing else could do, the ardor of his nature, the depth of his convictions, and the fountain springs of his character.

After uniting with the First Presbyterian Church of this city, he entered the Auburn Theological Seminary in 1830, from which he graduated in 1833.

He was soon called to Geneseo, and for two years was pastor of the Presbyterian Church in that village. During that time occurred in his church, and in the community, one of the most remarkable revivals in the history of Western New York. The Doctor often referred to that movement as one of the most interesting with which he had ever been associated. In November, 1825, his mother-church, "the Old First," had reached a stage of growth when colonization became a necessity, and she planted the first of those more recent churches which represent the Presbyterian interest in Buffalo.

The Pearl Street Church was organized in 1835, worshiping at first in a temporary building. Dr. Lord, the favorite son of the First Church, was called to the pastorate of the new enterprise. In 1836 was erected a beautiful church edifice, which from its peculiar interior construction was familiarly called "the goose egg." I have seen grander churches at home and abroad, but St. Peter's in Rome hardly made a stronger impression on my mind in my mature years, than did that unique Pearl Street Church on my youthful fancy.

I attended its Sabbath service in the fall of 1836 or 1837, on the occasion of a chance visit to Buffalo. It was without galleries, its audience-room of oval form, the pulpit at the street end, and the orchestra at the rear. A full band, at least to my fancy it was full, furnished the instrumental music. The blare of trumpets, and the harp, and the sackbut, and the viol, seemed to realize the musical glories of the old temple service. I had never before heard any instrument in worship of more cunning workmanship than the wooden pitch-pipe and the steel tuning-fork, which were accustomed to launch "Mear" and "Dundee," "China" and "Silver Street," and kindred melodies, upon the air of my native village church. That orchestral magnificence still haunts my imagination.

Such were the beginnings of Dr. Lord's Buffalo career. In the course of a few years the needs of his congregation demanded a large edifice, and the present magnificent church in whose parlors we are now assembled, was built, and the society reorganized under the name of the Central Presbyterian Church of Buffalo. And here, from about 1850 until his final retirement from the pulpit and the dissolution of the pastoral tie, Dr. Lord ministered in season and out of season to his people. Here were delivered those great sermons and orations which placed him in the

front rank of American pulpit orators. He made this church edifice, by his labors and sacrifices, by his intellectual force and the power of his genius, monumental.

The life of an able man is revealed by his opinions, his advocacy of them, and his character. And in the case of Dr. Lord it is pre-eminently true that these constitute, in a large degree, his personality, and to them we must direct our studies for a just appreciation of him. If in my brief sketch I shall draw on him for illustration, I do so because they are better than any I can offer, and because we are met here, by the altars where he ministered, to commune with his spirit, and to catch a fresh inspiration from his thought and life.

Dr. Lord was for many years a large part of the intellectual, the moral, and, in its best sense, the political history of Buffalo. During the middle period of his life there was not a question in Church or State of general public interest in which he was not a leader of opinion on one side or the other.

In some respects he was a man of the past, rather than the present. His intellectual and theological sympathies were molded by the earlier time and in the severe school of the fathers rather than by the advanced opinion of later thinkers and actors. Both by mental organization and training he preferred the old ways to the new, and for primal truths would seek what he regarded the golden morn of time, rather than our meridian whose brightness he would not always take for light. Some of the grandest intellectual displays ever witnessed among us were his pulpit and platform defenses of the old philosophy, the old theology, the old economies of Church and State. There are yet some who remember those occasions when he delivered his popular addresses, kindling with his own zeal the thousands who were under the spell of his mag-

netic eloquence and thought. There were some seeming contradictions in his positions at different times on some questions; but they were only seeming. His life of opinions was a harmony. Even his Higher Law sermon, the boldest expression of his life, and the most defiant of the general sentiment on the question of slavery and on the relations of human government to the people and to God, was perfectly consistent with his later position after slavery had thrown the gage of battle at the feet of the nation.

These characteristics, and the fact that he was a polemic actor as well as a closet student, must be borne in mind for any correct appreciation of his public life. In theology he was a Calvinist. Had he been nurtured by St. Augustine, and trained by the great Genevan, he could not have been a more earnest champion of the doctrines, in all their length and breadth, and in their widest applications, to which they have given name. If we consider the tendencies of thought, both in Europe and America, at the time Dr. Lord entered upon the ministry, and remember the semi-revolutionary attitude of leaders abroad and at home on social and religious questions, we shall not fail to see that, positive and controversial as was the character of his mind, he must adopt affirmative opinions on the whole range of questions agitating the public mind, and maintain them with a zeal allied to passion. About contemporary with his entry upon the ministry, the European wave of German philosophy and transcendental mysticism, which had done so much to disturb the old systems of belief in Germany, and after their introduction by Carlyle, in England, struck the New England coast, and their influence was soon felt in all schools of religious thought. It was at the period of the Doctor's settlement here in his new profession that Emerson was introducing the followers of

Channing to those liberal fields where so many now find pasturage in the oriental doctrine of the Over Soul. The transcendentalists were dreaming their dreams at Brook Farm, presenting them to the public in the most fascinating forms of modern culture. In the more orthodox schools, Bushnell, Barnes, Beecher, Taylor and others, were maintaining their new interpretations of Scripture before councils and assemblies, some of them passing that once-terrible ordeal—the trial for heresy.

Tractarian Ritualism, too, was at its height in the English Church, and its mediæval spirit was startling the staid Protestantism of both hemispheres. Superadded to these disturbing elements in the theologic world, Science appeared, pressing its audacious footstep in every field of legitimate inquiry, astonishing by its revelations as to the age and method of creation, and filling the minds of many good men with fears that they would lead the world to the sty of Epicurus and the negations of Atheism.

At the same period, another wave, humanitarian rather than religious, came rolling in upon us from England, a wave first evoked by the spells of Sharp and Wilberforce, and Clarkson, and which, after a struggle of forty weary years, in defiance of the hostility of the Established Church and the English aristocracy, had abolished the African slave trade, abolished slavery in the British colonies, and threatened to overthrow, in methods wholly revolutionary, our own peculiar institution, which had grown up under, and was protected by, our federal constitution and laws. In short, the time of his settlement here in the ministry was one of extraordinary ferment, of intellectual audacity, of social experiment and of revolutionary tendencies in Church and State.

Doctor Lord's zeal for the old theology, and his attitude on the slavery question, were greatly stimulated to aggressive action by the new movements. The sovereignty of law as the representative of a sovereign God, and human society as a special organization by the divine economy, were with him central truths, the only foundations of a true social philosophy, or of just systems of law and government for men. And on the threshold of these revolutionary movements he planted himself upon the old doctrines, a conservative of conservatives, contending for the old ideas, the old formulas, and the old economies. After the disruption of the Presbyterian Church in 1837, there was but one ultimate choice possible for him. He must go with the conservatives. To the adherents of either party who saw below the surface, and felt the ground-swell of the revolution, "Old School" and "New School" represented antagonisms which survived during the slavery discussion, and until both bodies were liberalized by a new generation.

His ideas of the State, and its relations to the citizen, revealed the harmony between Dr. Lord the publicist, and Doctor Lord the theologian. This harmony is clearly brought to view in his celebrated Thanksgiving sermon in 1850, "On the Higher Law as applicable to the Fugitive Slave Bill." His theological system declaring the divine institution of human governments and the sovereignty of human law as the reflex of divine law, furnishes the basal principle of that sermon. There was much in the angry controversy at the time, much in the peril many men believed to be menacing the stability of the government, which gave point to the discourse, but its logic flowed from the principle I have stated.

It will be remembered that Mr. Seward, in a speech in the senate resisting the fugitive slave law, had avowed

the higher-law doctrine. "There is a higher law than the constitution" was his formula. In a period of calm there was nothing in this declaration which had been startling. It was not novel; it was old as human thought. It was uttered by Cicero in language whose feeblest translation is as full of beauty as it is of truth. "There is," he says, "a law which is not one thing at Rome, another at Athens, one thing to-day and another to-morrow, but one and the same, eternal and immutable among all nations, and in all time." Sophocles, of the Greeks, had said in one of his tragedies by a character defying legitimate but unjust authority:

Nor of such force thy edicts did I deem,
That, mortal as thou art, thou hast the power
To overthrow the firm unwritten laws
Of the just gods. These are not of to-day
Or yesterday, but through all ages live.

It has been accepted by moral philosophers of all times. The sentiment, properly interpreted, is written on the universal heart of man. It is the instinct of the human conscience. But thrown out by our great senator as apparent justification of disobedience to a statute, obedience to which seemed to be the condition of national peace, it is not surprising that it should have provoked alarm. He maintained in that sermon the divine character of government and the duty of the citizen because it was divine, to obey the laws. He laid down this formula: "The action of the civil governments, within their appropriate jurisdiction, is final and conclusive upon the citizen." This theory of entire subjection to existing civil authority he claimed to find in the doctrines of the New Testament, and in the example and practice of the primitive Christians. His sermon throughout maintained his favorite theory that Christianity did not come into

the world a force directly addressed to governments or to society. The general doctrines of the sermon never had more brilliant advocacy. It was universally accepted as the ablest exposition of the conservative view of the relations of the citizen to the government which appeared from the pulpit of the time. It gave him a national reputation. By the one side he was accepted as a prophet, by the other as an apostate from the principles of liberty. In a speech by Mr. Webster, at Syracuse, in 1851, defending his own seventh of March speech in the senate, he said: "They denounce me as a fit associate of Benedict Arnold and Professor Stuart and Dr. Lord. I would be glad to strike out Benedict Arnold: as for the rest I am proud of their company." It was only after the storm of 1850 had culminated in civil war, resulting in the overthrow of the power which raised the controversy, that the bitterness of the contest subsided and all parties began to act harmoniously in the new era of homogeneous institutions. We now begin to do justice to the great actors in that drama. Calumny and detraction on the one side and excessive adulation on the other, were equally offensive to Truth, who serenely awaits the final judgment of history. The last year has seen erected in the metropolis of our State memorial statues of the two foremost leaders on either side, and the American people have united in placing the unfading laurel on the brows of Webster and Seward.

Another position of the Higher Law sermon, provoking, if possible, still sharper criticism, was its defense of the relation of slavery because approved by the political system of Moses. To this the time had its answer. It was denied that American slavery in the nineteenth century could be justified by the civil code of semi-savage tribes, recently emerged from a condition of foreign subjugation

and slavery, who had never risen above the *lex talionis* for private wrongs, and who punished with death the smallest departure from their social and sumptuary laws.

While he so defended the purely legal aspects of slavery, neither in that sermon, nor in any utterances of his public or private life, did he ever apologize for the cruelties of the institution, or claim that it was other than a relic of a barbaric past.

No social blandishments could weaken his vision or warp his judgment on a question of humanity. Whether he ever modified his views upon the scriptural argument, I do not know, but it is a matter of history that when slavery laid its hand on the Ark of the Union, Doctor Lord's patriotism rose to the height of the occasion, and during the four years of defensive war for the government there was no voice in the land of clearer, grander tone for liberty and the Union than his. There were no abler discussions of the whole controversy involved in that struggle, no more impassioned appeals to the patriotism of the country than are to be found in his political sermons of that time. Their spirit may be divined by this single sentence from a Thanksgiving sermon of the war period, which closes his review of the purpose of the Confederates to make slavery the controlling power of this continent :

For myself, I had rather the Almighty should sink the continent in the sea, or that the nation should nobly perish on the battle-field for freedom, than submit to this inglorious result—to the lamentable degradation of our national prostration at the footstool of slavery.

He had but one way of defending a cause dear to him—with all his might. He had no reserve, he cut down the bridges and burned the ships that there could

be no retreat from the line of action sanctioned by his head and approved by his heart. And in that crisis his patriotism was a holy passion. How perfectly he was in sympathy with the policy of final emancipation, is beautifully illustrated by his poem entitled, "The Silent Sorrow of the Enfranchised Slave. Suggested by the Obsequies of President Lincoln in Buffalo." It might fittingly close this review of a controversial incident in his life which, more than any other, gave prominence to his career. Its closing stanzas are as follows :

Ah ! who can know their untold agony,
To whom his death appears the crowning loss ?—
So the disciples feared on that dread day
When the great SUFFERER hung upon the Cross.

The sable mother, as her eyes grow dim,
Wails o'er her first-born by the cottage fire ;
Freedom, though late for her is all to him—
Must it, alas ! with that great life expire ?

Old scarred and palsied slaves, who from the shore
Of burning Afric, in their youth were torn,
Bow down in speechless misery before
The tale of horror on the breezes borne !

They know not that the manner of his death
Forever seals their chartered rights as men—
That in their martyr's last expiring breath,
The Nation heard these solemn words again.

Two hundred years of unrequited toil
Have heaped up treasures for this day of blood,
And every drop of slave gore on our soil
Demands another from the sword of God.

While his theological system led him to the conservative action we have reviewed, no man brought a larger sympathy to oppressed peoples. And while it is true that he rejected the social contract theory of the origin of States, yet in the Higher Law sermon he distinctly maintained the right of revolution for adequate cause.

Mazzini himself could hardly have hailed with more enthusiasm the revolutions of 1848 in Europe. The democratic spirit of that time had no grander interpreter of its passion and its hope.

His poem entitled "Kings and Thrones are Falling," was hailed on both continents as an embodiment of the spirit of the epoch. Let me recall to you a few of its ringing stanzas:

Kings and thrones are falling,
The sound comes o'er the sea,
Deep unto deep is calling
To the conflict of the free.

At the voices of the Nations, like the roaring of a flood,
The sun is turned to darkness, the moon is changed to blood.

* * * * *

The word of power is spoken
In accents loud and long ;
The iron chain is broken
From the ankles of the strong ;

The blind and beaten giant is staggering up at length,
And the pillars of his prison-house begin to feel his strength.

* * * * *

The powers of earth are shaking
From the Danube to the Rhine,
Old Germany is waking
Like a Cyclop from his wine.

And dark his brow with hatred, and red his eye with wrath,
While he scatters his tormentors like pygmies from his path.

King or priest shall never
Rebuild the broken wall,
For thought is freed forever
And truth is now for all.

The startled nations hear a voice through heaven and earth
resound,
The everlasting word of God shall never more be bound.

The revolution was crushed, but its spirit survived in the popular heart, and to-day France, Germany and Italy

have entered upon their careers of regeneration. The Doctor was right, only right too soon.

In the middle portion of his ministry the Doctor delivered occasional lectures on questions of interest. In a series before the Young Men's Association, he developed his theory of civilization and progress. They presented many original views. He maintained that civilization was the original condition of man, so cutting from the roots the theory of development. Eden blossomed with the highest intelligence, and the earliest races and peoples were at the acme of culture. Civilization was normal, and progress was toward barbarism. This view flowed out of his theological system. Man, when first created in the image of God, was at the highest point of culture. Man's transgressions sowed the seeds of decadence, which in time resulted in corruption and barbarism. From this condition peoples were rescued by the restoration of individual man to purity through religious culture.

In the same series of lectures, and on other occasions, he took issue with the broad schools of every name on the subject of a progressive Christianity. There could be no new interpretations of Scripture, no modifications to meet new systems of thought, or a progressive school of social philosophy.

The theory of Guizot, as developed in his History of Civilization, that Christianity addressed itself to the individual and not to social or political institutions, he maintained with great ability. The Higher Law sermon was largely a development of that idea. I may say that in this position Dr. Lord had the sympathy of the conservative school in all Christian churches. It was one of the series of rocks on which the Presbyterian Church split in 1837; and, as the slavery controversy advanced, the two

antagonistic systems of Christian philosophy became more pronounced. Was Christianity a principle addressed to the individual, or was it, as well, a force thrown into the field of the world to act upon institutions social and political? If the first hypothesis were the true, then slavery, and poor-laws, and the treatment of the criminal and insane, indeed all the social questions which are pressing on us for solution through law and governmental policy, are outside the immediate action of Christian principles and the Christian Church. If the second hypothesis be the true, then Christianity is not only a power acting on individuals, but it addresses itself as a law to every element of society and to every institution in the State.

The advanced view of our day is a logical one. It was a matter of course that, as the theologic spirit declined, the humane spirit of Christianity should advance. And the decline of the theologic spirit results from the fundamental idea of the Reformation—the right of private interpretation of Scripture, coupled with the development of social and political institutions. This progress is not in the principles of Christianity, for no philosophy can rise higher than its headlands, but in the better vision of our time. I think we must come to the conclusion that the whole history of Christianity has been a history of development, slow but necessary, and every step one of providential training of the race from high to higher. St. Simon Stylites, of the fifth century, sitting on his pillar sixty feet in the air for thirty years, was the model saint of his period. The crusaders of the tenth and eleventh centuries were an advance upon the ascetic of the desert. The intellectual activities of Luther's day, amid the perpetual tramp of armies over Europe, stimulated the

thought of the age, and prepared the way for a new era of institutions.

The parable of the good Samaritan and the doctrine of the fraternity of men and the universal fatherhood of God, were in the New Testament from the beginning, but out of the range of human vision until the time of Howard and Wilberforce. The horizon of one era is the meridian of another, and in the procession of the ages all his constellations will shed their light on the children of God. Says George Fox in his journal: "And I saw that there was an ocean of darkness and death; but an infinite ocean of light and love flowed over the ocean of darkness, and in that I saw the infinite love of God."

To-day, after nearly eighteen hundred years of struggle for its just position in the world, the social spirit of the founder of Christianity, as revealed in the incidents of his life and in his parables, has come to the front and leads our era. It is the motive power of every humane and philanthropic movement. Even the few philosophers who, like John Stuart Mill and Harriet Martineau, co-operate in these modern movements, whether or not they acknowledge their obligation, find their best inspiration in Jesus. The great service of men who, like Dr. Lord, stood in the old ways and acted as breakwaters to the flood of new ideas was this, and it cannot be overestimated. They held on the solid body of doctrine without which Christianity degenerates from a religion to a philosophy, so preventing a precipitate radical revolution, until the new and old ideas could adjust themselves to each other, and act, as they now do, in accord in their mission to man and to society.

The central principle of the life of Dr. Lord as it flowed out to the world through his intellect and through his heart, I believe is to be found in his faith in

the divine. Deity was as an atmosphere in which his spirit consciously lived and wrought. Priest or prophet never worshiped with more awe the uncreated source of law and love. In this connection, remembering with what vigor in his best days the Doctor combatted the materialistic tendencies of certain schools, it is a matter of interest to know his last thoughts, and to catch his dying testimony. During the session of the Scientific Association in Buffalo, in August last, I found him one day in his library, his mind occupied with the discussions of the week. He at once opened upon the evolution theory of man. His defense of his old-time views of the existence of God, of man as created in His image, and man's need of a religious faith, recalled the Dr. Lord of twenty years ago. I shall never forget these words, nor his face, almost transfigured, as he uttered them: "They cannot dethrone God, they cannot overthrow His word, and I laugh them to scorn, I laugh them to scorn."

His long ministry occurred, as we have seen, at a transition period. He could at its close look over the field and see that, after all the upheavals and changes of the time, the principles of Christianity were more firmly entrenched than ever in the hearts of men. He could well afford to laugh at any school who hoped to strike out of human consciousness, faith and trust in an Author and Ruler of the world. So long as man suffers and sorrows, so long as the spiritual faculty survives, so long as the sentiment of reverence and worship, the primal instincts of man, lead his soul to the great ideals of virtue and goodness, which, begin where they will, culminate in Deity, materialism will never usurp the altars of religion in human households.

Dr. Lord was not an exact scholar, nor did he make pretensions to be such. He loved historic studies, but I

do not think he brought to them the absolute judicial faculty, rare, if it ever exists, in earnest natures. Because of this he was the more powerful advocate and confident leader. His force was never weakened by hesitating opinions after his position was once taken.

As a preacher he attained great distinction. He had repeated calls to several of the strongest and most important churches of the country. New York, Pittsburgh and Mobile sought to win him from Buffalo, by inducements which required a strong man to resist.

He supplied a pulpit, prior to 1850, in Mobile for six months, while he sought an escape from the rigors of our winter climate. There was a time, about 1848, when, wearied with the loneliness of his position as the pastor of the only Old School Church here, he was inclined to accept the Pittsburgh call. The Doctor felt his isolation keenly. It was not the fault of persons, but was the natural result of the sharp controversies in which he gave blows quite as hard as he received. In those days clergymen of different ecclesiastical relations had much less fellowship with each other than now. They had not yet discovered, as to some extent they have since, and, unless the world comes to a stand-still will to a still greater, that nothing enlarges the clerical vision like broad outlooks over his own denominational fence into neighboring fields of thought. The *odium theologicum* had been an unknown quantity, had there always been free trade in the commerce of theological ideas. The years when I attended his church were his years of prime and of his hardest professional work and greatest activity. His sermons were not of the speculative or philosophic type, for such was not the cast of his mind. He was then much in the habit of "skeletonizing" his sermons, trusting to the inspiration of the occasion for their style and the com-

plete elaboration of his thought. He rarely failed to impress the leading doctrines so sacred to him, and often combatted what he regarded the false philosophies, in the pulpit and out, of the day. He was of the militant order of men, and was never happier than when defending "the faith" against the men and the system which openly or covertly assailed it. He hated social wrongs, he hated cant. That holy wrath which burns in the utterances of the Hebrew prophets, as they scourge the hypocrisy and oppression of their day, reappeared in this man of moral passion and of glowing sympathy with the just, the good and the true, and of hate of the wrong, the hypocrite and the false. No man was less awed by power in any unworthy sense; no man paid less homage to accidental greatness. All the veneering of society he mercilessly tore from those who sought it for a covering of selfishness and oppressive greed.

One pulpit characteristic may be noted—the large use he made of the poetry of the Bible. Himself a poet, his fancy literally reveled in the imagery of the Hebrew melodists. The Book of Job, Ecclesiastes, the later prophets, and above all, the Psalms, were of his poetic religious classics. I doubt if I ever heard him preach or pray that he did not invest much of his thought with the poetry of the Old Testament. More than any man I ever knew, his type of mind, his methods of illustration, his genius, in short, were of Hebrew mould. If he discoursed of death, the Ninetieth Psalm was on his lips. He never wearied of the rhythmic thought of that "Song of Moses." The imagery of the decay of the human faculties in the closing chapter of Ecclesiastes, "The silver cord is loosed, the golden bowl is broken, the pitcher at the fountain, and the wheel at the cistern," were his interpreters of the vanishing shadows of time.

"How is the strong staff broken and the beautiful rod;" "The beauty of Israel is slain upon the high places, how are the mighty fallen and the weapons of war perished," voiced his lament over the great dead whom he mourned. His memory was a picture-gallery of the Book of Job, and in his moments of intellectual exaltation he would bear you as in a triumphal chariot amid the sublimities of the Arabian poet. He loved a few of the old English poets from whose wells he oftener drew than from the moderns. He had no sympathy with the sentimental schools, and his taste was severe and exacting. As illustrating his love of sacred poetry, I will relate an incident connected with a visit to him a few weeks before his death. He was too weak to walk unaided, his voice feeble, but his spiritual vision clear as the sunlight. He spoke of poetry as the natural form of expression of divine praise and worship, and quoted from his favorite Hebrew poets. He asked me to read the translation of the Russian Hymn to the Deity—a favorite, and a hymn of marvelous grandeur and sublimity.

The reading concluded, he pronounced it the noblest of modern hymns of praise. I said I knew another not unworthy to go with it, and read his own "Ode to God." At the conclusion of the reading, the tears flowing down his cheeks, he said, "It is much better than I thought."

With all the boldness and vigor of his mind, his sensibility found expression, on occasion, in strains of elegiac beauty. I am tempted to recall an illustration of this side of his genius. This example is from a funeral sermon delivered on the occasion of the death of young Sprague, son of the late Dr. Sprague, whose memory is still fragrant among us. He accidentally shot himself on Grand Island, and for three days his body was undis-

covered, and when found had no appearance of decay. I quote from the sermon a reference to this circumstance:

He fell without a struggle or a motion; one moment full of life, in the next his mortal remains lay under the shadows of the primitive forests, protected from the sun by the boughs of those ancient trees, which were planted by the hand of God before the vessel of Columbus touched the shore of the new world. There, in the calm quiet of its last sleep, lay the body of our dear young friend, for days and nights, yet, no wild beast of the forest was suffered to touch it, no fowl of the air was permitted to alight upon that soul-deserted tenement; with strange instinctive reverence the denizens of the woods respected the remains which are before us to-day, unmutilated and with less change than is the ordinary result of death. No storm beat upon this defenseless tabernacle of a departed spirit, no rain descended to disfigure or deform that guarded body; only the dews fell, like angels' tears, and they were dried up by the breath of the morning. We may imagine the innocent birds gazing down from the neighboring trees with amazement, upon this strange tenant of their solitudes; watching with curious eyes the calm repose of the lifeless body, until the 'sentinel stars set their watch in the sky,' looking pitifully down through the openings of the forest with their calm, pure eyes, till the dawning day. So God protected the body of our departed friend in the wilderness, until human feet were directed to its resting-place, and hands of men, with reverence and solemn awe, raised and bore it to those who waited in that fearful suspense. Which is harder to be borne than the bitterness of death.

His ablest papers were of a controversial character, whatever their form. He was like the war horse of whose description he was so fond. "He saith among the trumpets, ha! ha! and he smelleth the battle afar off, the thunder of the captains and the shouting." His genius was happy in the stimulus of opposition, and when engaged with a foeman worthy his steel, he was

incarnate courage and power. There is a touching reference to the part he had borne in the controversies of his time, in his address to his people on the twenty-fifth anniversary of his pastorate. He says:

In the providence of God it has so happened that much of the labor and odium of the necessary controversy with aggressive errors and heresies has fallen to my lot. When rationalism has put forth its dogmas, in some offensive and hostile way, I have been called to stand in the breach.

He then proceeds to speak of his defenses of the doctrine of his Church, and his resistance to the aggressions of Romanism :

In all this I have been the servant and agent of the Protestant and Orthodox denominations of this city, but it has happened in my case as in that of many a better and abler man, that instead of a grateful remembrance of a good service rendered in a perilous time, the imputation of a controversial temper has followed and been the reward of the difficult and even dangerous duty I have been called to discharge.

A single sentence reveals his satisfaction that the age of controversy had passed, and that he too welcomed the new era :

If I know myself, I am not inclined to controversy; though constitutionally fearless I am a lover of peace, and no one who has imputed to me a spirit of controversy can rejoice more than I have done that for the last few years, I have not been compelled to enter the arena of theological discussion.

The Doctor's feeling protest was unnecessary. After the smoke of the battle has cleared away and the passions of the hour subsided, Dr. Lord appears one of the most unselfish and consecrated men that ever entered the lists to battle for the right. And of all the contestants, on either side, none returned from the conflict with brighter shield or more untarnished honor.

Few men communicated so much with the public through the press as did Dr. Lord. For the first twenty years of his Buffalo ministry he discussed almost every question of large interest. His articles to the public journals and his pamphlets would make volumes.

In a pre-eminent degree he for many years held the position here which so many of the clergy hold in Great Britain, that of an educator of the public, and creator of public opinion of matters of large, but general interest. I believe Great Britain owes as much to some of her clergy as she does to her statesmen, for the reform of abuses which were crushing out her life.

Sydney Smith, and Charles Kingsley of a later generation, are examples of clergymen who carried the sorrows and physical needs of the masses on their hearts, and were felt in every corner of the kingdom through their earnest work to relieve them. It indicates a timely revolution. The bodies of men must be taken care of as well as their souls. The clergy are an educated class, consecrated to self-denying labor, and removed from the ordinary temptations to self-seeking, and there is no reason why they should not be great factors in every movement which seeks better laws, and better administration affecting popular health, popular morals, and the comforts and recreations of the people. I confess to no sympathy with that feeling which would restrict the clergy to the spiritual office of their profession. Some of the best outside work done to-day in this country, is done by the clergy of all schools, liberal and orthodox. Their influence as a profession is not of the same type as fifty years ago; less popular awe hedges them in to make them a peculiar class, above, rather than of, the people; but their true power is, I believe, greater than ever, because it is related more nearly to humanity in its daily needs. It has lost none of its

sense of the relations of the present to the future life, but it has a better appreciation of the relations of this life to itself, as felt in the industries and home-lives of men.

The strong elements of Dr. Lord brought out in his public career were hardly more distinguishing than the characteristics revealed in private and personal relations. He was genial, with a happy flow of wit and humor and repartee. He loved cheerful companionship, and valued the good things of the world as gifts of God for human use. He had no small arts, or sly policies, but was open, above board. If he opposed, he opposed like a man. If he was on your side, he was faithful to the death. He was impetuous but chivalric. He had prejudices to conquer, but no conscious injustice to others to lament. He had the simplicity of a child, and without vanity was proud. He was a rash man who ventured to trifle with his self-respect, or to strike where he loved. He would serve in no Philistine temple for the sport of lords or fools. He would rather, Samson-like, "bow himself with all his might" between its "middle pillars." There is a holy anger that resteth in the bosom of wise men.

He was a warm friend. He was truly "a good Griffith," and no one who had need of a mantle of charity could ask for one of more ample folds than his. It was a beautiful trait and sometimes cost him dear, for he was not a discriminating judge of character. He was trustful, sympathetic, and had a large vision for the virtues of his friends.

His home was literally a place of refuge for the poor and needy. Without children of his own, the children of others, and often of the extreme poor, had the protection and care of his house. These offices were sometimes rewarded with grateful love. There is a poetic beauty in this incident: A poor and simple-minded lad living in

the vicinity had learned to call the Doctor friend. When told of his death, he begged for his little savings that he might buy flowers for the burial time. He was gratified, and his handful of winter bloom was placed at the feet of his friend, where they now rest in the deep silence.

This sympathetic nature overflowed the ordinary channels and led him to befriend the brute creation. I will venture to say that no house in the land has given more sympathy and care to races of domestic animals than his. No words but his own can give any adequate idea of his hate of cruelty to the poor beasts that serve us, and the high place he gives them in the Divine Thought. The following of his sonnets deserves to be written in gold :

" Doth God take care of oxen ? "—who upholds
All suns and systems—round whose august seat
The veiled Cherubim with covered feet
Cry Holy ! Holy !—He whose care enfolds
The Heavenly Powers who thro' the streets of gold
Pass out angelic messengers, more fleet
Than winds to do his will ? He who of old
Spared Nin'veh for his herds, doth yet behold
The poor dumb creatures, who do ever cry
To him for judgment, groaning with the lash
And wounds and hunger—can that All-seeing Eye
Fail to regard and judge, before whose flash
The Heavens grow pale ? Each moan of agony
Is placed on record 'gainst the avenging day.

How he loved Buffalo ! Had it been all his own he could not have been more devoted to its interests. He believed in her, and in her future as a leading American city. His life here as a lawyer and clergyman compassed almost the whole growth of the town. He knew the early men who laid the foundations of the city. He had followed many of them to the grave. He had outlived all his early pulpit colleagues save one, who is still with us, discharging the duties of the position he so long has

honored. There was no other who on that bleak winter's day could so fittingly, and none with more feeling, discharge the last offices at the grave of our friend than the venerable rector of St. Paul's.

About the last public appearance of Dr. Lord was at the banquet of the Buffalo bar, a few months before his death. The occasion found its highest interest in his presence. For the first time in a half century he stood with his early guild—recognized as one of them, and honored for his long and useful career. Out of two hundred guests there was not one present who knew him in his first professional days. His life had come round a full circle, and he came like a warrior of fifty years' service, to bid the profession of his youth "Hail and farewell." I am sure that none who were then present will ever forget the wit and the genius, and the rich nature which he brought to that banquet, and poured out so prodigally for our delight. His form and presence never appeared more grandly than on that occasion, and when he left he carried with him the homage of all hearts.

I know that pictorial immortality is apt to be as "words writ in water." Still it has been thought best to found in the New City Hall a representative portrait gallery of Buffalo's illustrious lawyers and judges. Dr. Lord had a dual professional life: eminent in one, honored in both professions. Why should it not be devolved upon the Buffalo artist whose national reputation is our renown as well as his, to paint for that gallery the picture of this peer of the greatest of them all? Do you say this will never be?

I remember the reply of the elder Cato to one asking why he had no public statue: "I would much rather be asked why I have no statue than why I have one."

His long service in the ministry found him at length old and weary. Responsive to his repeated and urgent requests, his people reluctantly granted him release, and in 1873 his resignation of the pastorate was accepted. That occasion is historic, and was marked by the tenderest expressions of mutual love. A young man took his place, whom the Doctor at once adopted to his confidence and heart. And so the curtain drops on the active part of a great life.

Twenty-five years ago our dear friend established his home in a suburban retreat. There, amid broad acres, beautified by his own hands, and in a noble library where were gathered the thoughts of the ages, he enriched his nature for the duties of time, and prepared for the limitless future.

For a half century he had consecrated his powers to humanity and to God. Having passed the summit hour of ordinary life, on Sunday, January 21, 1877, he died. He died in the city that honored and revered him, surrounded by kindred and friends that loved him. His life was full-orbed, his death a peaceful transition.

" Nothing is here for tears, nothing to wail,
Or knock the breast, no weakness, no contempt,
Dispraise or blame—nothing but well and fair,
And what may quiet us in a death so noble."

GROSVENOR W. HEACOCK, D. D.

A TRIBUTE TO HIS MEMORY, PUBLISHED IN THE BUFFALO COMMERCIAL
ADVERTISER, MAY 7, 1877.

IN a sense in which it has never been said before, our great Buffalonian is dead! Grosvenor W. Heacock belonged to Buffalo by birth, by the associations of his youth, by the relationships of his own home-altars, and by that manhood and professional career which began here, which he never would transfer elsewhere, and which was here concluded among a people that loved him and in the city that honored him, and of whose moral and intellectual life he was a crowning glory.

Doctor Heacock was his own original, a type of a class which rarely appears in our age of material ambitions. He was a man of moral enthusiasms, with an eloquence which overleaped the bounds of logical methods and bore all who came under its spell into the deepest currents of sympathy and resolve. There is no American of our time with whom we can compare him. The period of the Revolution furnished the nearest parallel in James Otis; but in temperament, in moral passion, in self-consecration to humanity, and in that power of persuasion which is irresistible as the ocean currents, we can think of no one he so closely resembled as Wilberforce. Had he been in his place he would have acted his part. The hater of oppression and wrong, the friend of liberty and right, fearless, lovable as infancy, and sweet with all gentlenesses in private life, who can doubt that had his

been a parliamentary career during the struggle against the foreign and colonial slave trade, he would have carved his name as deep in the century as did the great Englishman, whom in his moral and Christian character, and in his genius, he so much resembled?

He was born for revolutionary times, and in this respect he was happy in the opportunity of his life. He entered upon his professional career when the drama which culminated in civil war was opening. He was in its first act if not in its first scene. We have read descriptions and heard personal recitals by eye-witnesses, of his first revelation, on a national theatre, of his powers. It was at a session of a New-School General Assembly of the Presbyterian Church, the special occasion, a discussion of the slavery question. The conservative element in the assembly was strong and gaining the ascendancy. The alarmed radicals called upon Dr. Heacock to oppose it. He accepted the leadership, and his speech was one of the events in the national controversy. His triumph was complete; the assembly was borne to the highest pitch of enthusiasm. His national reputation dates from that hour, and from that day until his failing health forbade such importunity, he had repeated calls to pulpits in every section of the free States.

He had all the elements of a commanding orator. He had a majestic presence, a voice musical as a lute, which was modulated to every phase of sensibility and to every degree of passion. He had a moral nature ever sensitive to duty, to honor and to manhood. Wrong he might be in his premise, illogical in his methods, but his moral nature, always supreme, guided every thought and act of his life. He had a deep sympathy with the sorrows and sufferings of his fellow-men. He broke no bruised reed, he wept with those that wept, and bore in his heart every

sadness that sought its confidence. He was a fearless man; moral courage had in him its complete incarnation. All these elements united to a warm imagination and a passion, which, profoundly as it might seem to sleep, was, on occasion, roused as the sea when lashed by the tempests, combined to make him a consummate orator.

Like all men of his temperament, he was unequal. He required the occasion and the personal conditions for the exercise of his highest power. He was grand in his simplicity; careless of fame, unpretending, exacting nothing, yielding everything but principle to friendship and courtesy, generous, appreciative and loving; he was a true representative of the nobility of God. His presence was an atmosphere and an inspiration. The tone of private and public life was elevated and purified wherever he moved. In this sense, Buffalo has met a loss greater than she knows. "Native here and to the manner born," there was conceded to him a power no successor can ever command. His leadership was undisputed.

Clarke, Lord, Heacock, have in rapid succession been summoned away. The keen, incisive intellect of the one, the polemic power of the other, and the splendid genius of the last of the triumvirate, gave supreme renown to the Buffalo pulpit. They had distinct individualities and mental characteristics. Yet their very diversity constituted a rare unity of moral and intellectual power.

Sadly we follow to the grave the man whose nature and gifts have reflected so much honor upon his native city, and whose unconscious influence will survive when all its material glory shall have faded away.

GEORGE R. BABCOCK.

REMARKS AT A MEETING OF THE BAR OF ERIE COUNTY,
SEPTEMBER 26, 1876.

MR. CHAIRMAN:

It is with almost filial sorrow that I unite with the Bar in these offices of respect for our deceased brother.

In 1842 I came to Buffalo and at once entered into a brief partnership with Mr. Babcock. From that time to his death our relations were of the closest intimacy. For the last twenty years there has been no living man in whom I have trusted so absolutely, and in this intimate association I learned the great qualities of his nature. They won my highest admiration, my warmest love. And, sir, I should be the most unworthy of men if, in view of all I owe his friendship, my heart was not full of grateful memory.

Mr. Babcock's life in Buffalo spanned a full half century —all the important period of the history of the city. It was but a frontier village when he chose it for his home with no dream of the great future stored for it in the advancing years.

He witnessed the rise and progress of the great reputations of the men of the past who have given civic renown to Buffalo, and he had no small part in promoting their careers. He has seen two or three generations of lawyers pass from the stage, and he stood in our midst as stands the last oak of the primitive forest, noble, majestic, tranquilly awaiting the hour when it, too, should fall by

the hand of the Destroyer. And now he, the last professional representative of the early time, the venerable Father of the Bar, who but a few days ago was upon our streets scattering benedictions upon all who sought the cheer of his friendship, under circumstances that touchingly appeal to our warmest sympathy, and while in the discharge of generous duties in the public service, has fallen.

Mr. Babcock was a largely endowed man, and but for the lack of a certain self-assertion, and for the further lack of ambition for worldly distinction, he would have had a conceded place among the foremost men of the nation. His character, his habits of thought, his tastes, his prejudices, if such he had, were modeled after the old and severe school of the early part of the century. And he never ceased to represent the type of character which was formed by that age of dignity and calm. His mind was eminently practical. He never dazzled, but always instructed. He sought the central fact in all his investigations, and when he found the truth he never weakened it by anything less severe and chaste than itself. He was a sound lawyer, and had the elements, had his life been devoted to purely professional studies, of a great jurist. His love of justice, his clear analysis, his knowledge of men and human motives, would have made him an ideal chancellor. Next to the sense of justice which was the guide of all his conduct, I should say that plain common sense was a distinguishing characteristic. These two elements made him a safe adviser, and kept his own life upon the highest plane of action. If his judgment was not infallible, his heart was pure, and turned as steadily as the needle to the pole, to duty. Great as was our friend, and many-sided as was his superiority, his moral greatness was the pre-eminent

force of his nature. It led his intellect, it permeated his whole being, it recalled the noblest types of Roman virtue, it illustrated the ideal of Christian character.

Mr. Babcock was a man of almost universal intelligence. To be in conversation with him for a half hour on general topics was to gather treasures new and old from his reading and his thought. He loved literature, and few are so familiar as was he with the old classics of our language. He made no parade of his companionship with them, but they were his fireside divinities.

Our friend was easily misunderstood in some respects by those who did not know him well. He had a reserved manner sometimes mistaken for haughtiness or unreasonable pride. Nothing could be more unjust. He was simple as a child in feeling, and put little estimate upon the accidental surroundings which in our artificial forms of society give importance to individuals. He had no contempt for these surroundings, but they weighed little in his estimate of men. The poorest and most humble could readily find in his sympathy the key to his heart.

Mr. Babcock was of the conservative school of men. He had no sympathy with that spirit of innovation which falsely calls itself reform. He challenged every revolutionary movement in politics and society. If the movement justified itself he was prepared to adopt what appeared sound in principle and policy. In one sphere of thought the child was pre-eminently "father of the man," and from it no philosophy or science could change him. I refer to the Christian faith as he learned it at his mother's knee. He believed religion to be the basis of public morals, and public morals to be the basis of rational liberty, and Christianity the only crystallization possible among us of the religious sentiment. In one of our conversations upon the change wrought in some

minds by scientific studies, he said with unwonted emphasis that he did not know what scientific theories he might be brought to adopt, but of one thing he was sure, he should never abandon his faith in the divinity of Jesus. It was to him the central truth in the history of humanity.

You will indulge me in a brief reference to his character as a friend. God never gave to man a heart more true and constant in that relation than he gave to George R. Babcock. In his nature was a deep, perennial fountain of affection for those who shared the confidence of his heart. He was not given to protestations of friendship, but his life was full of its sweetest offices. He was ever ready with counsel to advise, with sympathy to cheer, with time, talent and substance to aid. Friendship with him was something sacred and holy, and no purer offerings than his were laid upon its altar.

Such was our friend as he was revealed to me during our pilgrimage together on "this bank and shoal of time."

It was a beautiful vision. Was it only a vision? And has it vanished forever from our sight? Let us not believe it. Let us, rather, cling to the old faith that makes friendship, and love, and the nobility of man, immortal.

DENNIS BOWEN.

REMARKS AT A MEETING OF THE BAR OF ERIE COUNTY,
APRIL 23, 1877.

MR. CHAIRMAN:

This place and this occasion suggest the contrasts of human life. It is but a few months since these halls were dedicated to their uses by appropriate ceremonial. Now they open their doors for these observances of respect and affection for the man who, with worthy coadjutors, presented them, a completed trust, to the public, with no taint of corruption or jobbery on wall or pillar, on tower or architrave, a work clean throughout as his own pure heart, and henceforth a monument of his unselfish public service. Let us emphasize this for a moment. During the years of construction of this edifice, Mr. Bowen watched with Argus-eye every step of its progress, supervised its details, scrutinized its expenditures, and so secured a result which in its fidelities of expenditure is the admiration of strangers who visit us, and of a just home pride. This care and watchfulness were the gratuitous service of a life of public-spirited citizenship. It is very easy for a man to live for himself, to rise in the morning and calculate how much he can absorb of what may lie in his reach, but in this country such service as Mr. Bowen repeatedly gave to the public is not so superabundant that we may pass the example without note.

Dennis Bowen was an extraordinary man. Without genius, in its ordinary sense, or brilliant gifts, he had that which avails in human affairs more than genius, the faculty which grasps a principle as by intuition, which marshals the means adapted to ends, and organizes victory with the instinct of a born commander. In this talent, which includes familiarity with the springs of human action, and in his personal character, is to be found the secret of his success. Whether or not you could explain it, there was the fact—ever increasing power and influence with the public. His office was certainly second to none in the importance of its business trusts. For twenty-five years its clientele represented the largest wealth and our most important private and corporate interests. There was little noise of machinery, but the business was done, the result attained, and the master spirit who largely directed it sat as quietly in his office as if he were waiting for his first brief.

Was Mr. Bowen a great lawyer in the strictly technical sense? Outside his real estate specialty, and in the exact knowledge of commercial law, he had superiors at the bar. In his specialties he was at the head of his profession, and in general business, in large negotiations, in every question that was to be decided by common sense and natural equity, he was the peer of any man. Mr. Bowen's professional alliances reveal the estimate his brethren put upon him. He was always associated with the highest professional talent. The late Judge Hall and General Adams, and Judge Foster and Henry W. Rogers, all leaders in the profession, were happy to accept his invitations to partnership relations. But while in all these instances he was peculiarly fortunate, and sought these gentlemen to supplement his own legal learning and for the trial and argument of causes in the courts, the living,

I believe, would testify, and the dead, could they be summoned, that Mr. Bowen was the spirit in the wheels of the power represented by his office. And the fact that his clients ever adhered to him and were of his closest personal friends, would seem to settle the question of his professional standing.

Lawyers are the repositories of business confidences, and of such, and of those of a delicate and domestic character, I believe he will carry more with him to the grave than any man we have ever had among us. Men and women easily confided in him. He brought what they most needed to their troubles—common sense and the instinct of justice. He made little show of sympathy, utterly lacked warm demonstration by speech or manner, but in few words which showed he had grasped the situation, he indicated the line of action, and restored confidence to the timid and doubting. To his profession and to the gratuitous and thankless public trusts which sought his intelligence, his integrity and his energy, he devoted his life.

Here was a man who ran after no popularity, was utterly devoid of the arts that win it, with no honeyed words of compliment, no methods of seeming to do one thing while actually doing another, who always and everywhere represented a fact, a man

“Who stood four-square to all the winds that blew,”

who betrayed no friend, wronged no enemy, and on whose heart were written by the finger of God, “Justice and Truth.” When to such a character were superadded unselfishness, large-heartedness and wisdom, we need look no further for the secret of his professional and personal power among his fellow-men.

He was trusted, believed in, and his judgment stood for the conscience of those who sought its guidance. If all men, women and children, whose equities amid conflicting interests, whose social and domestic rights and sensibilities have been protected by the just words spoken in the confidence of his personal and professional relations, knew and should reveal their obligations to Dennis Bowen, it would be a monumental record of invaluable service to individuals and families. He was a born mediator between conflicting elements in the whole range of human relations.

I doubt if any other Buffalo lawyer has drawn so many important last wills as Mr. Bowen. I speak what I know when I say that he would never see an act of injustice embodied in a will without protest.

I will give an example, one honorable alike to counsel and client:

I went into his office one day when he was about to deposit a will in his safe. He of course gave no information whose will it was, nor have I any idea. He said that some men had strange notions of what is due to their wives, and then stated that the maker of that will instructed him to insert a provision of \$800 per annum for his wife. That he told his client it was a shabby allowance, considering his fortune, and he insisted that it be made \$2,500, and it was so provided. This sense of the proper and just pervaded all his private and professional life, and his personal influence was the ready shield of the weak and defenseless.

He was the most epigrammatic of men; his thoughts always took the shortest route. I will give an illustration, and I don't know a better:

While I was abroad occurred an event in Buffalo in which he knew I would feel a special interest. Among

my letters one morning I saw his familiar hand in the address. The letter announced a death, its immediate cause, the time of illness, condition of affairs of deceased, in just three lines. Besides was but a single word—"Bowen."

It was his "*veni, vidi, vici*" method which wasted no words and omitted nothing necessary. The thoughtful kindness was as complete as if his lines had been pages.

May I refer to one other characteristic? He could do that most difficult thing to do in our inter-dependent relations, say "no" under any circumstances when it was the word that should be said. His power to deny, to resist solicitation when his judgment disapproved, was heroic. Illustrations will occur to many of you. This quality arose not from an indifference to others or to their interests, but from his love of the just. He could not dissemble, he could not be false to himself. Parties might be disappointed in their expectations, never deceived. His word once given was as a bond of fate.

As a friend Mr. Bowen was constant and thoughtful. You felt his friendship not in the warmth of words or manner, but in his service and fidelity. He had great simplicity of character and life. He spent little on social pageantry, he kept himself in moderate estate by his gratuities and benevolences. He might have died a rich man but for one thing which in his case[†] was fatal, though it is not always so—he had a heart.

He was never put to that test, but, with opportunity, he would have proved a very able man in the highest public relations. The power to do is so much greater than the power to say, that I believe he would have risen to the height of any responsibility. It is the honest purpose, the clear insight, the firm will, and the power to set in motion the needful accessories, that mark the great executive. There is a magnetism in genius that will

command a following, but there is a power in the silent man who thinks wisely and firmly executes, that commands the larger and final confidence, and that power was pre-eminently Mr. Bowen's.

This occasion recalls his early professional associations. He was a clerk in an office of historic names, "Fillmore, Hall and Haven," all of whom, while living, were his close friends, and one his partner until the transfer of Judge Hall to the bench. The few of us who were the professional contemporaries of the Bar of that period, who remember its learning and its power, and its eminent service in public relations, are glad that our friend was taught in that school and preserved for another generation its traditions and its honor.

And now he too has departed! The past is secure, the undisclosed possibilities are forever sealed.

"There is no necessary man," contains a truth little flattering to human vanity. A man dies, in whatsoever sphere, the gap soon closes, and all moves on as before. So it is, so it has been, so it ever will be, and except as we "trust the larger hope," all our questioning comes back to us an echo and a mockery. With that "larger hope," we leave our friend, and with the absolute trust.

KOSSUTH AND INTERVENTION.*

PASSION and sympathy are rarely safe guides to an administration. Upon questions involving the rights of people and of nationalities, we are keenly sensitive and quick to ask of the government its sympathetic action. It is against this outside pressure that the government has had, and probably ever will have most strongly to contend.

This was signally manifested in its earliest history. What hostility did the administration of Washington provoke, because it refused active co-operation with France against England in the early stage of the wars growing out of the French revolution! The popular party, under the sanction of the great name of Jefferson, insisted upon the policy of active intervention and upon an alliance with France to beat down the British Lion. But Washington was as firm as he was sagacious. Wise and passionless, he mapped out the course of his administration, and laid down that principle of conduct in our foreign relations which, however jostled by the circumstances of to-day, was intended to be, and ever must be, the guiding-star of our American policy.

"Why," says the Father of his country, "quit our own to stand on foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor or caprice? * * * It

* Published in Buffalo *Commercial Advertiser*, December 16, 1851.

must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities."

If the question of adherence to this policy is an open one, we are glad it is opened now, by so accomplished a champion of intervention as Kossuth. If Europe, as would seem, be on the eve of a general revolution; if the struggle of man for self-government, which must necessarily elicit all our sympathies in his behalf, is to be renewed, the government should now predetermine its policy in that conflict. If it be intervention and republican alliance, it should provide for the illimitable drafts upon its exchequer and its men. If, on the contrary, it be *armed neutrality*—adherence to the policy of Washington—it should be prepared to resist the appeals from without, and the pressure from within.

Our "manifest destiny" has already been the excuse with multitudes of our people, for our own wars of conquest. The friends of the doctrine of intervention have a kindred argument in the so-styled "mission" of this country. This, they say, is to give freedom to the world. That to achieve this, we must make universal war on Absolutism. Their doctrine leads to this. The "mission" of this country impels us, not to self-development by activity at home, but to a universal crusade against thrones, and that led on by the government itself. Our business is to set right the wrong of the world. Man is entitled to govern himself. Absolutism is a war upon this right; therefore it is our mission to exterminate Absolutism.

A beautiful syllogism, smacking of baggage wagons, gunpowder and ships-of-the-line, to the content of a revolutionist, if not to the peace of an empire.

Do we wrong these gentlemen? In the immediate case of Kossuth, they only ask, besure, that we depart from the policy of *non-intervention* to compel Russia to make no alliances with any government *de facto* that asks its co-operation. We detest the system of Russia as heartily as the most red-hot interventionist; but in asking this, they ask what is no part of our duty, and what, if attempted, would result in disaster and ruin.

But this is only one of the results of their theory. At war in their heads and hearts with Absolutism, wherever it exists, and confident that the "mission" of this country is to republicanize the world, and ready for war with any country that shall aid another despotic State in suppressing an internal revolution, they are prepared, when this is accomplished, for the next step—to commit our government to the revolting party; to turn it into a *confederate revolutionist*. Abstractly regarded, the oppression of Austria was no greater crime than the intervention of Russia to perpetuate it. Both were high crimes against human freedom. There can be no middle ground for our government between absolute non-intervention in foreign quarrels, and active propagandism, by the sword, of republican opinions.

Are we ready for this position? Are we prepared as a commercial nation to say to all governments less liberal than ours, that they are to meet, not that mightiest of modern agencies, the enlightened public opinion of America, but our men-of-war and our soldiery? Is our commerce, now riding in security upon all the high-seas of the globe, ready for this game that kings love to play at?

Undoubtedly we can win glory on such field, for "Rule Britannia" is now sung with *variations*. But are we ready to pay the price of this glory? Absolutism can

turn out as many privateers as republicanism; and the confiscation of our floating property and imprisonment of our sailors, would be hardly made good by reprisals, even of equal value and equal men.

Where is such a war to stop? Can we employ it as pastime, and lay it aside at pleasure? Such is not the nature of war. "The dire Goddess that presides over it with her murderous spear in her hand, and her Gorgon at her breast, is not a coquette to be flirted with." Once entered upon on the principle of intervention proposed by Kossuth, and urged by the class of which we have spoken, such a war would soon be a universal one with every absolute power, to be terminated only by exhaustion of the contending forces. France once thought herself commissioned to liberalize Europe, and after twenty-five years' war with the allied powers, she escaped from Waterloo to monarchy, thence to revolution and red-republicanism. Did she achieve liberty for the nations, or honor or safety for herself, by that crusade?

We admit some good general results to the continent followed Napoleon's campaigns; but they nurtured in the French people a restless spirit of revolution which has made France the prey of successive factions, and driven her at last to a mercenary soldiery for the maintenance of her mock republic.

But it is not proposed that we enter single-handed into the lists against Absolutism. We are to be associated with England, our "*natural ally!*"

England and the United States, together, can give free constitutions to all the world. She will be our confederate in this *fight for peace*. A very philanthropic, disinterested country, this England. We well may ask, in the language of Troy's alarmist,—*Sic notus Ulysses?*

She might strike hands with us for a time, if she could see a new market thereby opening for her manufactures, and find in her soldiers guarantees of a monopoly in trade. But this would be the sole bond of her alliance with us, to be broken the instant she lost a monopoly of advantage.

We know England has a glorious civilization, that she is the conservator and patron of all that is elegant in art, sublime in genius, and accomplished in the highest faculties of man. Here we have a common sympathy. Beyond these, are rivalry and distrust. With all her noble institutions, we know that her pretended love of freedom for the masses, is cant and hypocrisy. We point her to her millions toiling for mere subsistence, working night and day in pent-up factories, or down in the "hollow mines of earth," where the sunlight never reaches them, ever hunger-driven, and crushed beneath the most onerous taxation, to uphold this very magnificence which so dazzles and surprises us. And we laugh her to scorn when she prates of freedom and slavery.

But assume that we do her injustice, and that England will form this alliance in accomplishment of her "mission;" are we quite certain that she will deem it ended with the overthrow of Absolutism? She, too, like some other philanthropists, has great sympathy with the foreign oppressed, and blind to her own domestic slavery tenfold more aggravated than ours, would tell us that slavery was a public and private wrong, and that having aided us in humbling the Cossack, she had a "mission" on this continent.

The affinities for such an alliance are few, the antagonisms between the two countries innumerable.

A visitor in England from either of fifteen States of this Union, is denied the commonest civilities of life, is

literally ostracised from all church, social and political fellowship.

What hope does this afford for such an alliance? Proud, haughty England that knows no policy except its commercial policy, that would enslave the world to monopolize its markets,—converted into an amiable knight, to do battle with us against despotism!

“This we then
May hope, when everlasting Fate shall yield
To fickle Chance, and Chaos judge the strife.”

This country has a “mission,” but it is one of peace, not of war. We should extend our sympathy to every people struggling for freer governments, and protest, if you please, against acts of oppression everywhere. We should invite to our borders and welcome all who seek the shelter of our institutions. But so far as the conduct of our government is concerned, it should rest immovable on the policy of *neutrality* in foreign conflicts. Here we are secure. Off from this, we are in counter currents, with Scylla and Charybdis threatening us on either side, the easy victims of popular madness and revolutionary excesses.

JOHN BROWN'S EXECUTION.

[THE following appeared in the Buffalo *Commercial Advertiser*, on December 2, 1859. It was written from a legal standpoint, and represented the moderately conservative thought of that time. Subsequent events, and the growth of liberal ideas both in Europe and this country, have led mankind to judge that tragedy, its antecedents and its consequents, by its moral and heroic, rather than by its legal character and relations. No man is more certain of a permanent place in the Pantheon of the world's great characters and actors than John Brown.]

John Brown was executed yesterday, in accordance with his sentence. In some of its aspects his was one of the most remarkable State trials on record, and must have more than an ephemeral interest. It was remarkable in the character of the accused. Brown was no wretch for whom the gallows had a natural yearning. He was a well accredited member of an orthodox church, and maintained every ordinary relation of life as became a Christian man. On one subject alone he seemed insane (yet his wife as well as he insisted that he was not insane—that his method was not the method of madness). He believed in his inmost soul that slaveholding was sin, and all slaveholders outlaws. Brave as Julius Cæsar, he threw himself into the Kansas struggle with a purpose and zeal that brings back the memory of Cromwell's old Ironsides. He held his life not "a pin's fee," but everywhere braved danger and death in his efforts to run slaves into free States, and to resist the ruffian hordes from Missouri. Well had it been had his aggressive career ended before he entered upon his crusade against the peace, the property, and the

government of a sovereign State. Treasonable as his act must be regarded, there was in the method of it, and in the bearing of its hero, much that commands our admiration.

He is of no ordinary mettle who will take his life in his hand, enter a foreign State with but few associates, depending upon the aid of an ignorant, undisciplined, servile race to accomplish his purpose, seize the local means of defense, and set in motion a revolutionary government, which if unsuccessful must consign every conspirator to the gibbet, and all this, not for personal aggrandizement, but "to give freedom to the captive."

There is so much of the very sublime of heroism in this self-consecration, that we almost forget the crime of the treason and the horrible results, too horrible to contemplate, which must have followed a temporary success of the scheme, in our admiration of its daring.

Then his conduct from the moment his plot was frustrated, and all his machinery began to play upon his own head with such terrible recoil, down to the fatal drop which closed his earthly career, has been in admirable keeping with his original firmness and bravery. No wild savage who could count in his cabin a hundred scalps of butchered men, women and children, ever marched to the fires which a just revenge had kindled, with a tread more firm, or a cheek less blanched, than Brown has preserved in all that solemn funeral march from his arrest to his execution. Not a murmur has escaped him, not an unmanly appeal for his life, no apology, no bending of the knees to power to court one smile of its favor. He looked upon the gibbet as the pathway to glory, and upon death as the entrance upon his Apotheosis.

All the friendly action to procure evidence of his insanity was prompted by kindred affection, which strangely

forgot his need of a straight jacket until he got into straits indeed. But old John Brown asked no favor, and his wife, devoted to him beyond the extravagance of poetic fancies, "counted it all joy" that he was to die "Liberty's last great martyr."

"Son of St. Louis, rise to heaven," was not more sincerely uttered to Louis XVI. by the good priest who attended him, as the axe was uplifted over his royal head, than, as we believe, were the words of exultant hope and courage from that devoted wife to that doomed husband. She is of heroic mould. Possibly, and we hope it is so, that at the last the woman overcame the heroine, and she would have given a thousand lives if she possessed them, to recall the tragic past. God help her!

Yet, with all these elements which command our sympathy and even our respect, and which lift John Brown far above the mean level of an ordinary felon to that of a great State criminal, we cannot close our eyes to the facts of the case as they stand when divested of their wild romance, and as they must be viewed by the calm future.

And when we so consider them, we can come to no other conclusion than that never was a life more justly forfeited to a State.

Brown, with his associates, went into Virginia, where he had neither property nor kindred, nor interests of any kind whatsoever, with the avowed purpose of running off its slave property. And to accomplish this, he takes murderous weapons to arm not less than two thousand slaves. He seizes upon the public armory (an act of itself treason), and prepares to set up an independent government. What must have been the necessary result of a temporary success?—for it could be no more. Two thousand slaves armed, and infuriated by their self-appointed leaders, would soon have been engaged in a servile war,

short, but bloody and horrible beyond the power of imagination to conceive.

Midnight conflagrations, the violation of women, the slaughter of children, the reign for a time of unbridled lust, of a revenge kindled as with the fires of hell, infuriating alike master and slave—these must have been the inevitable consequences of a brief success of Brown's project. A few hundred slaves might have escaped into the free States, and landed in Canada with Brown at their head, but the end must have been a terrible revenge on every black participant who, by force or persuasion, or panic-fear, joined in the rebellion. Every cross-road in the region would have had its gibbet, and every gibbet its victim; and then, as the expedient of safety, would succeed all over the South an iron rule over their slaves compared with which the past has been as the reign of Liberty itself. Tens of thousands of distrusted slaves would have been hurried off to the sugar and rice fields of the Gulf States, and the last ray of hope of any voluntary mitigation of the severities of the system would have flickered away before this seeming necessity.

Fortunate for Virginia, most fortunate for the slave, that the project of that misguided and unfortunate man was nipped in the bud. This harvest of mischief would have sprung up from the seed sown, just as surely as it had ripened. Could Virginia set at liberty the leader of this plot, whose only dying regret was the failure of his attempt? Could she afford to offer the bounty of impunity to such invasions of her peace?

Brown has averred that he did not purpose taking life. Neither does the midnight burglar who, armed to the teeth, enters a dwelling for no other purpose than plunder, yet when attacked by the inmates whom his invasion has roused to resistance, shoots them down in cold blood. Yet what court would admit his plea that his purpose was

not murder? But Brown was honest. He believed slave-holders to be outlaws, and he was therefore entitled to clemency. So was Guy Fawkes honest, and Catesby, and the other Catholic conspirators who proposed to crush out damnable heresy, and restore the ascendancy of the Catholic religion in England by blowing up the house of parliament when in full session, thus burying the "outlaw" Protestants in one common ruin.

Yet all Protestant Christendom is agreed upon the justice of the execution of the principal conspirators.

Brown is not the only brave man who has coolly paid the price of intercepted treason, nor the first whom sympathizing friends have crowned with the martyr's wreath.

Hume says of Fawkes: "Before the council he displayed the same intrepid firmness, mixed even with scorn and disdain, refusing to discover his accomplices, and showing no concern but for the failure of his enterprise." The fear of threatened torture alone cowed him.

And of Garnet, one of the conspirators, he says: "The bigoted Catholics were so devoted to him that they fancied miracles to be wrought by his blood, and in Spain he was regarded as a martyr."

Bigotry, fanaticism and consecration to a great cause will never want martyrs, and martyrs will never want pilgrims to their shrines. Many men of the North will probably beg a hair of John Brown for memory,

" And, dying, mention it within their wills,
Bequeathing it, as a rich legacy,
Unto their issue."

But all right-judging men, whatever may be their sympathies over the fate of honest but misdirected zeal, will concur in the justice of the forfeiture which Brown paid on the gallows.

BROOKS-SUMNER TRAGEDY.

SPEECH AT A MEETING OF CITIZENS OF BUFFALO, CALLED TO CONSIDER THE OUTRAGE, HELD JUNE 2, 1856.

MR. PRESIDENT AND FELLOW-CITIZENS:

Nearly two thousand years ago, was enacted a scene of blood in the Roman senate made gloriously immortal because enacted in defense of the liberties of Rome.

Twenty centuries afterwards, in a republican senate chamber, in the capitol of a nation of twenty-five millions of freemen, the moral value of whose government is to be found in its defense of free thought and free speech, there has been enacted another scene of blood which, from its circumstances of infamy, has secured immortality to an assassin who had otherwise rotted in scornful oblivion.

If in his ruffian purpose and act he thought of Brutus, he thought of him as the skulking hyena thinks of the lion from whose carcass he would strip the skin, and, enveloped in it, turn to prowling about dead men's graves. Brutus and Brooks! henceforth both are immortal, for the Carolina assassin is as certain of the lasting renown due to his infamy, as if he were impaled a fixed blackness on the sky, expanded to the magnitude of a hundred suns, for the scorn of after ages. But with their immortality and the scene of their tragedies the parallel ends.

But, sir, of the victim. It was not Charles Sumner alone who fell by the ruffian blow. It was not the blood

of Charles Sumner alone that crimsoned that august chamber. Then fell with him every free-spoken American citizen.

“Then you, and I, and all of us fell down
While bloody treason flourished over us.”

The genius of the North, too, was stricken down by that blow. But thanks be to God for that elastic energy, that recuperative force which belongs ever to freedom, and which in this crisis gives it the concentrated power of united millions.

Since the world was—in view of the age in which we live, of the civilization of which we boast, of the courtesies and sweet charities of life, which are indeed “the cheap defense of nations,” and which should distinguish all human relations, which permit men to differ and be friends—above all, in view of the influences of that Christian religion which, if we do not profess, we honor, and which has given manners and propriety to modern men and to modern assemblies—no one act of atrocity, save that which gave Barabbas his liberty, parallels that which has called us together. In any other day than the present, when so many restraints are thrown around society and the law is left to vindicate itself, the cowardly Brooks would have a thousand times met the assassin’s fate, and long ere this “fatted all the region kites with his offal.” But I have spent too much time already with the man. I will look a moment at the surroundings and consequents.

What is it that has aroused the free men of the North ; that has stirred up the most determined conservatism from its lowest depths of stagnation, mingling the dead sea with the stormiest waters, crest to crest ? Not alone because Senator Sumner was felled by a cowardly hand for words spoken in debate. I will tell the South the reason. Because this act is commended, justified, rewarded

by the exponents of Southern opinion and interests. Nay, more, held up for imitation and rivalry!

One journal calls it "Classic," and finds no bounds for its admiration. Another, the Richmond *Whig*, once honored for its ability and character, not only justifies but incites the South to purge the senate of men holding and expressing views adverse to their own, and even names a New York senator as the next and the meetest victim!

It is well known that I have not sympathized with Senator Seward's extreme anti-slavery views and action. More, sir, that I cast my vote for another than him for the office he now holds, when my vote was worth something as your representative in the senate. I did then, and do now, appreciate his ability, his industry, and the scholarly grace which have placed him in the front rank of the gifted men of New York, but I did not concur with his views of policy on the subject which is now shaking the pillars of this government. But I now say to the Richmond *Whig*—I say to the "cane committee" of South Carolina—I say to the justifying senators—I say to the slave interest, whose constitutional rights have ever found a defender in me, that the day that sees the Sumner tragedy re-enacted—the day on which the blood of a senator of New York, whoever he may be, is shed *in* the senate chamber, or *out* of it, for words spoken in debate, and shed as Sumner's blood was shed, with approbation by that interest, will be the saddest day for fifteen States, and perhaps for thirty-one, ever woven in the loom of the centuries. Generations then unborn will wail because of it. In the language of Job they will say:

Let that day be darkness, let not God regard it from above,
neither let the light shine upon it.

Do they think us stocks and stones? Such wrongs would make the very stones cry out, not for justice, but for what is sweeter to man when pressed beyond the point of nature to endure—for *revenge*. Let them try it and see if they will find their heels upon our necks.

The history of Samson is the history of outraged man all over the globe. Let our senator's blood be so shed, and the fate of the sportsmen may be read in the sixteenth chapter of Judges:

And Samson took hold of the two middle pillars upon which the house stood, and on which it was borne up, of the one with his right hand, and the other with his left. And Samson said let me die with the Philistines. And he bowed himself with all his might, and the house fell upon the lords and upon all the people that were therein.

That portion of the South who purpose to subjugate us by assassination and murder, exhibit the pitiable weakness of the Philistines. If brought for their sport before their Dagon, as proposed, I tell them she will imitate Samson. She must be more or less than human if she did not. Their Dagon Temple rests, like that of the Philistines, on two middle pillars. They are the Union and the Constitution. Let the South beware the day—God grant it may never dawn—when she brings New York to bow herself “with all her might” between the two pillars!

It is a fearful truth, that the outrage which has summoned us here has done more to weaken the bonds of empire than all the agitation produced by conflicting opinions has ever accomplished. The State of New York is not in a flame of passion, but she is at the earnest white heat which defies all danger, and holds life and death in equal poise. She looks not at consequences when her honor is assailed. And she hurls back with

scorn and defiance the threat that she too is to fall by ruffian hand in the person of her senator.

Sir, what principle is contended for by the justifiers of this outrage? Simply this, that Northern representatives, upon questions connected with slavery, must speak what is agreeable to certain Southern ears, their thoughts must be submitted to a Southern gauge, and their words be subjected to a Southern censorship before utterance. And this, if omitted, is at peril of life and limb. A South Carolina *imprimatur* must be found on the cover of every congressional speech, or the stiletto and the bludgeon will punish the temerity of free men. By this permission we may live. Under the legs of this Carolina Colossus we may peep about to find ourselves dishonorable graves. If this is to be the price of union, it is too great. It cannot be paid. There is not forbearance enough, there is not fraternal charity enough, and there never ought to be, in the moral exchequer of the North, to pay any such price. There is self-respect enough, there is manhood that dares to die; enough, yes, more than enough, to refuse to pay such a price for any compact made for social or political relations.

There is another most mortifying feature in this case. It is the action of the senate, at whose very heart the dagger has been plunged. The committee of investigation report that the senate has no power in the premises! They see a member of their body struck down in his seat for words spoken in debate. They see the whole body degraded and outraged by one who turns the senate chamber into an assassin's hall for the dance of Death, and has no word either of rebuke of the outrage or of vindication of its privilege!

The skulking assassin may burrow under the speaker's chair until the opportunity arrives to rush upon his

defenseless victim. He may shed his heart's blood before their senatorial eyes—and that, too, for words spoken in debate—and the senate is impotent! If this be so, the Alpine passes in the middle ages and the Hounslow Heath of the seventeenth century were as secure as the senate chamber. The subject is too sickening for comment. The country now awaits the action of the other house. There is but one thing it can do—less it cannot do and maintain the respect of the country—purge itself of this violator of all that is sacred in personal honor and in national glory. I hesitate not to say, that New York expects every representative of hers to vote for the expulsion of Brooks. She will hold any member who does less, a partaker of his guilt, a sharer in his degradation. No casuistry can avoid this result; he is a fool who shall seek to experiment on the public forbearance.

Sir, I rejoice to know that the press to which I have alluded, and the men to whom I have alluded, have not the sympathies of the entire press or men of the South. A Southern divine said to me, in reply to my interrogatory what he thought of the Sumner tragedy, "That cowardly Brooks should be shot down like a dog." Such are the sentiments of many of our Southern brethren, and we ask them to vindicate these sentiments by act as well as by speech.

Mr. President, I have done. If I have spoken warmly, it is because the subject does not permit of cold and measured thought. I would have it understood here and elsewhere, that New York is a unit in its defense of free speech; that she knows her own rights, and knowing will maintain them.

THE MISSOURI COMPROMISE.

SPEECH DELIVERED IN THE SENATE OF NEW YORK ON THE NEBRASKA
RESOLUTIONS, FEBRUARY 3, 1854.

MR. PRESIDENT :

I do not think the introduction of this subject untimely, and legislative action unnecessary. I think the State of New York would be false to herself, false to her legislation, when Missouri asked admission into the Union, if she did not now, thirty-four years after that action, when all good faith is to be violated, if she did not rebuke this project of the senator from Illinois. I am unwilling to have these resolutions disposed of upon a silent vote.

Let us look for a moment at the basis of the union of these States. All free government is the result of mutual compromise. The government under which we live has no other original basis. The convention at Philadelphia which framed the constitution of the United States, represented the most extreme views, and the most antagonistic interests of the several States. Of all questions which patriotism was there called upon to settle, none more threateningly menaced the objects of the convention than that of slavery. At the South, slavery had incorporated itself into all the relations of society. The character of Southern climate and products had stimulated this vigorous growth. While it had a nominal existence at the North, it had no such relations to northern capital or industry as promised permanency to the system.

Hence arose the conflicting political and moral views in the convention on this question.

After months of discussion, and of patriotic labor and sacrifice, their work was accomplished, the constitution presented to the States. In the language of Washington, it was framed in the spirit of "amity and compromise."

The South consented to the partnership, provided she could be protected in her slave property by the restoration of her fugitive slaves. She also insisted upon a representation of her slave property in congress. Although the moral sense of the North was against it, she yielded to the first demand; and she granted the second for an equivalent in the matter of taxation. These questions at rest, the constitution was presented to the States for ratification. Here ensued another, and for a long time doubtful, struggle. But at length the last State gave its adhesion, and then arose this government in its own proper beauty and strength, to take its place among the powers of the earth.

The Northern Atlantic States were commercial States; commerce, everywhere a leading and controlling element, ever has been, and ever will be, aggressive. And when united to it are the higher elements of civilization, it elevates where it subdues, and becomes the advance-guard of the institutions of Christianity.

The commercial spirit early discovered the importance of controlling the Valley of the Mississippi and the outlet to the Gulf of Mexico. Mr. Jefferson, with a clear prescience of his country's future, appreciated the same necessity. He opened the negotiation with France which resulted in the treaty of 1803, which secured to the United States the territory of Louisiana. In 1804 Louisiana, in pursuance of the treaty, was erected into two territories, and the act so organizing the territory

made many restrictions upon the slave traffic. In due time Louisiana proper was admitted as a State, and of necessity and without objection, as a slave State. So matters rested until 1819-'20, when arose that storm whose angry blasts still linger in our ears. Missouri knocked at the door of the Union and asked equal privileges with the other States. A part of the territory ceded by France in 1803, and of the Louisiana Purchase, she was ready to enter the sisterhood of States. Let us briefly review the history of that contest. Let us see the part acted by New York in that controversy, and we shall be the better prepared to meet the argument of Senator Douglas. Missouri asked to come in as a slave State. The Southern States insisted upon her admission as a matter of right. The Northern States conceded the propriety of her admission as a free State, but denied the right she claimed to enter as a slave State. At the same time the State of Maine, from the northern Atlantic coast, urged her claim to admission into the Union. Her right was unquestioned, but the Southern States sought to authorize the admission of the two States by one act, for the purpose of securing the admission of Missouri with slavery. Such an act passed the Senate of the United States. The house of representatives refused to concur, and Maine was admitted by a separate and independent act. Then the controversy was narrowed down to the admission of Missouri, and a great part of that angry discussion arose upon two amendments to the bill authorizing the unqualified admission of Missouri, or amendments similar to them, introduced by two representatives from New York. Mr. Taylor of this State introduced an amendment to the act admitting Missouri, prohibitory of slavery in the State: Mr. Storrs of New York introduced another amendment which contains the prin-

ciple of the ultimate compromise, and is in the following language :

That in all that tract of country ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, excepting only such part thereof as is included within the limits of the State contemplated by this act, there shall be neither slavery nor involuntary servitude, otherwise than in the punishment of crimes whereof the party shall have been duly convicted.

It also provided for the surrender of fugitive slaves. Pending the debate upon the several amendments raged that storm which threatened the very existence of the government. It was of this fearful conflict that Mr. Jefferson said it was "the most portentous that ever threatened the Union; that in the gloomiest moment of the revolutionary war he never had any apprehensions equal to that he felt from that controversy." It was in the midst of this conflict of opinion and passion that the "great pacifier," Mr. Clay, invoked that principle which lies at the basis of all social and political organization. He called upon the country to make another sacrifice upon the altar of patriotism. He invoked the North to quiet the South by admitting Missouri without restriction. He invoked the South to yield to the North by surrendering *forever* the territory acquired from France, and lying north of thirty-six degrees and thirty minutes, to freedom. A patriotism which this age may well imitate responded to the call. The principle of the amendment proposed by New York through Mr. Storrs was adopted. Missouri became a State, with slavery, *but upon a consideration*, upon a solemn pledge, emphatic and irrevocable; solemn as plighted faith could make it, positive as enactments could decree it, that slavery

should be forever excluded north of thirty-six degrees thirty minutes, from the Louisiana Purchase.

After the admission of Missouri, Arkansas came into the Union with slavery. She was entitled to admission under the Compromise of 1820. The North acquiesced, in good faith paid the bond. The country has long regarded that question at rest, not a rest for a generation or a century, but a final and eternal rest. Let me recur a moment to the action of the Legislature of New York, pending this controversy. On the twentieth of January, 1820, and while the controversy was the most violent, her legislature passed a preamble and resolution instructing their representatives in congress "to oppose the admission as a State into the Union of any territory not comprised within the original boundary of the United States, without making the prohibition of slavery therein *an indispensable condition of admission.*"

This was the position of New York, and she would have resisted to this day but for a compromise which surrendered a controverted right for a forever conceded advantage. There were within the then unknown future of the controverted territory, four States. New York, with the other free States, insisted that all of them should come in with the slavery prohibition; the South resisted the demand. It was adjusted by yielding Missouri and Arkansas to slavery, and Nebraska and Kansas, then undeveloped and unchristened, to freedom. Such was the bond. New York has discharged her part of the obligation; will the South discharge hers? It is a question vital as the existence of the Union.

But the Nebraska bill, alluded to in the resolutions, declares the prohibition of slavery in the Compromise of 1820 to be inoperative, and to be repealed by the Com-

promise measures of 1850. This is a proposition easily stated.

The Compromise of 1820 stood isolated from every other relation then present or future. It related *solely to the territory acquired from France*, and known as the Louisiana Purchase. It might possibly have some bearing upon the permission of slavery in subsequently acquired territory south of thirty-six degrees thirty minutes. But if so, it would with equal force exclude slavery north of that line.

The Compromise of 1850 was independent of all past compromises, and entirely original in all its bearings and relations. Let us examine its history.

The acquisition of our territory from Mexico was the result of a *national* war, and, whatever may have been the ethics of that contest, I regard that acquisition as the natural result of our institutions. Had we not acquired it *when* we did and *as* we did, its acquisition at some time and in some manner was one of the facts of our destiny. So certain as the weaker yields before the stronger, so certain as an inferior society yields before the superior power of a higher civilization, so certain as a keen-scented, earnest, grasping commercial spirit will overcome the indolent or effete systems that oppose its progress, just so certain was the star of our empire to "westward take its way," until it should mirror itself in the calm waters of the Pacific.

Our Mexican territory was acquired by treaty and became national domain. Before we were fairly recovered from our surprise over so stupendous results, California knocked at the door of the Union with a free constitution, and demanded admission to the sisterhood of States. The South was disappointed, she felt that the balance of

power was departing from her. She said she had contributed her money and her men to secure this territory, and she insisted that the flag of the country should protect her property in all its forms on every inch of this new national domain. The history of that contest which threatened, as I then believed, and now believe, the very existence of the republic, is fresh in our memories. Amid most stormy controversy and most dissentient opinions, the compromise measures relating solely to the territory acquired from Mexico, became fixed laws and institutions. If for the sake of a natural boundary a fragment was excluded from the Louisiana territory, it was not of consequence enough to change the principle.

The positions taken by Senator Douglas are involved in two propositions. First, that these measures *repealed* the Compromise of 1820. Second, that they were the adoption of a new policy and doctrine, to wit: that any State has a right to demand admission into the Union, with or without slavery, irrespective of the location of its territory or the manner of its acquisition.

I shared the sentiments of those Northern statesmen who in 1850 were instrumental in bringing about that compromise. I closely watched and personally listened to much of the debates in congress during that angry discussion, and not a syllable ever reached my eye or my ear sanctioning these alarming propositions. Is the Missouri Compromise repealed in terms? Is it in spirit? Was it claimed in any speech of any member of congress, North or South? No, sir, that compromise stood alone, on its own basis, and forever inviolable. The senator from Illinois declares that those magic words, "The people of the United States do enact," etc., were more than creative. That they not only made a new compromise in relation to new territory freshly acquired, but destroyed an adjust-

ment in relation to the Louisiana Purchase which we had held for nearly half a century, and under which the country had reposed in confidence for thirty years. Sir, this proposition is utterly unsustained. The compromise measures of 1850 were not destructive. They constituted a new bond, a new *compact*, in its moral force, between the free and the slave States, in relation to matters wholly independent.

The acts that affixed the seal to this new bond, did not raze the seal from the old one. They left it untouched in letter and spirit. It is there, sir. Words cannot rail it off, casuistry cannot argue it away. To override it in the manner proposed by the Nebraska bill, would be subversive of all good faith, and good faith underlies the foundation of republican empire. Your most solemn enactments are but idle parchment and a mockery, under such construction.

But it is argued that the Compromise of 1820 was but a law, and may be repealed as any other law. I grant this to be its mere legal relation. I do not claim for it that it is technically a treaty, or a compact, or a constitutional provision, but I contend that in spirit and of right it has *the binding force of them all*. While in form it was but a law, it was in fact a treaty, or a compact by which the slave States, in consideration of the admission of Missouri with slavery, solemnly agreed that the territory north of thirty-six degrees and thirty minutes should be *forever* free. Can the South take and keep what we parted with, and now refuse the price, without consent of the other contracting party? Can she now say that a second compromise destroys the first? What will she say of a third compromise—that it destroyed the second? If this be the rule, the fewer compromises we make the better; and I apprehend this would be more than conviction with the North.

That this was a compact was the view of all the statesmen and political writers of that time. I find that the editor of *Niles' Register*, than whom few men were more accurate observers of political events, spoke of it as having the binding moral force of a constitutional provision. I read, sir, from *Niles' Register* of March 11, 1820, from an article entitled "The Slave Question," in which he says:

It is true the compromise is supported only by the letter of a law, repealable by the authority which enacted it, but the circumstances of the case give to this law a *moral force*, equal to that of a positive provision of the constitution, and we do not hazard anything by saying, that the constitution exists in its observance.

This view met the written approval of the most eminent statesmen of that time.

This reasoning of the Illinois senator, interpolates a fraud into the record. Who believes that the measures of 1850 could ever have been passed, if they had contained in so many words a repeal of the Compromise of 1820? If, in addition to what they gave the South, they had also declared that what was given to the North in 1820, and which alone calmed the storm that threatened to overwhelm us, was to be transferred to slavery? That that bargain was to be canceled, and that too without the shadow of an equivalent. The proposition would have been trampled under the feet of an indignant people, with scorn and defiance. A bargain is a bargain, and because it is such, I, with multitudes of conservative men at the North, conceded to the South her fugitive slave act, in 1850. Let her beware how she forfeits our confidence in a good faith, which must be reciprocal, or bind nobody.

But there is another proposition more startling, if possible, than that I have noticed. It is that the

measures of 1850 engrafted a new policy upon the government. That it relinquished all claim or right on the part of congress to regulate slavery in the territories, or give qualified admission to new States into the Union, come they from where they may. If this be true, the followers of the Veiled Prophet were not more "dupes and victims" than we, who sustained the Compromise of 1850. Because we acquiesced in granting to the South, nay, insisted that there should be granted her, her constitutional rights; because, in addition, we were willing to yield something in the "spirit of amity," and that something expressly "nominated in the bond," did we yield everything? Did we turn propagandists of her institutions? From the organization of the government there has been but one opinion at the North, and hardly a divided one at the South, that slavery was an evil. That it degraded labor, that it weakened the strength of States, and aside from its moral considerations, of which I do not speak, was upon great principles of public policy, to be kept within its original limits. This was the policy of the government, and it has been waived only under circumstances when concession seemed to be duty. To this we trace the action of the States in relation to the northwestern territory, and of congress in relation to the Louisiana Purchase. In this we have but followed the enlightened sentiments of all nations. Suppose the result claimed by the senator from Illinois did not arise from the unseen magic of the measures of 1850, but from express enactment, what reason could be given for overthrowing this long-settled policy? Did our fathers, and have we mistaken the effects of slavery upon society? Does it really elevate labor; does it dignify States; does it tend to develop the highest elements of a people, to have this institution in their

midst? Were our fathers in error, when by positive act they prohibited it from Ohio, Indiana and Illinois? Was it a mistake on the part of our own State, that we abolished it years ago? No, sir; no, sir!

The reason for this policy grows more potent with every rising sun. The proposition, if true, sends us back to the dark ages of public opinion. Let me not be misunderstood in this connection. I have entertained extreme conservative sentiments on the subject of slavery. My action now does not rest upon the humanity or the legalities of the relation of master and slave. Of these I now say nothing; I look at the results of the system; results to the superior race; to its influence on progress, and on the institutions which give grace, utility and power to human societies. In view of this, I say, the policy should not be abandoned of keeping slavery within its limits, except under circumstances like those which have two or three times occurred since the formation of the government, and which can hardly again arise. Its abandonment will not be conceded through a falsified record. No, sir; the North, I trust, will ever adhere to the compromises of the constitution, and to all other compromises which patriotism, amid conflicting but honest opinion, has been called to make; but beyond this she must not be pressed to go. She is asked to keep the compact in good faith; let it be reciprocal, and she will keep it.

Sir, I distrust the source whence this Nebraska bill emanates. I say to the South she should fear the Greeks offering gifts. It comes from a presidential adventurer, who, in the last national democratic convention received fewer votes than he expected, more than he deserved, fortunately for the country not enough to secure his end. It comes from the peculiar representative of "Young America," who hold nothing sacred in the past, who

oppose on principle or passion all conservatism, and run rampant over all institutions which interpose barriers to the attainment of their ends. I feel it my duty to do what my predecessor in 1820 did, and oppose this president-hunting ambition. I trust to "o'erleap itself." He voted instructions, thirty-four years ago, to our representatives, to oppose the admission of Missouri as a slave State. New York consented to that admission upon a solemn *compact*. That compact it is now proposed to violate, and that not in a bold, manly way, but through a fraud and a cheat! If I could reach the ear of the South, I would tell her that it is dangerous to accept this gift, that the honest convictions of many Northern men deemed the compromises of 1850 just and proper, and called for by the exigencies of the times, affording a protection to the institution of slavery beyond which it was not safe to pass. I would say to her, we are a conservative people and a reasoning people, but we have also instincts. Reason is slow and calculating. Instinct is not slow, but rapid as the lightning, and consuming as the fires it kindles.

LECOMPTON (KANSAS) CONSTITUTION.

SPEECH AT THE AMERICAN AND REPUBLICAN ANTI-LECOMPTON MASS
MEETING, HELD IN BUFFALO, MAY 27, 1858.

ON the gates of Busyrane was inscribed, on the first, "Be bold," on the second, "Be bold, be bold, evermore be bold," and on the third gate, "Be not too bold."

The democratic party has adopted all these maxims save the last. Boldness that shrinks from no purpose of its ambition, boldness that levels every Alpine height which constitutions and bills of rights interpose between it and its will, is its inspiring principle, and is blazoned on all its policy. It never permits "I dare not" to wait upon "I would."

A bold party has its place among the modern activities, and if it would honor and obey the eternal principles of justice, we would step aside and leave its thundering train to pass on unimpeded. But flushed with long success, made arrogant and overbearing by its almost unbroken line of victories, it has come to think itself invincible, and its will has become its governing law, and that will has one, and that an all-absorbing, purpose. That purpose is, so far as the institution of slavery is concerned, to overturn the whole policy of the fathers of the republic, and to roll backward the tide of progress which for nearly a century has been gathering force and volume. More than this, claiming in times past to be the peculiar champion of State rights as against federal encroachment, the demo-

cratic policy has become the maelstrom of all State rights, of all State sovereignty, when exercised in behalf of free as against servile labor.

I care not to go back beyond the passage of the Kansas-Nebraska bill. I do not controvert the general principle that, in view of the nature of our government, its diversity of interests, the equitable considerations that present themselves between parties acquiring territory by common blood and treasure, the inhabitants of a new territory should be left free to form a constitution tolerating or rejecting slavery. For the ultimate interests of free labor, irrespective of the justice of the principle, this rule is vastly preferable to any arbitrary line of exclusion by latitudes and degrees. The Northern States have nearly twenty millions of people to whom emigration is almost a second nature; and there is a tidal wave of humanity which scarce knows "retiring ebb," ever surging up from the European world, and laving the broad domain of our western territories. With a just government there is no danger, and slavery, by the law of emigration, will be limited in its progress to the tropical regions. I regard this as certain as the fiat of God. But in view of its sacredness as a compact, the Missouri Compromise—an enactment passed by the vote of some of the wisest and greatest and most patriotic men who have ever conferred honor upon human nature—ought not to have been repealed, and the new principle should have had its application to other territory. It necessarily threw open that virgin domain to rapine and violence and civil war. The gauntlet thrown down by the Southern democracy, was certain to be picked up by men who feared neither bravado nor steel. At once was revealed the policy of the democratic party. The whole power of the federal government was thrown into the scale against the North

and against free labor. Border ruffianism in all its shapes and guises, oppression through the federal courts, fraud more flagrant than ever before made a burlesque of the forms of election, signalized the entire Kansas policy of the Pierce administration and the democratic party. When I speak of the democratic party, I speak not of our friends and neighbors at home who are of that organization, but of the hand that guides it, of the power that sits behind its throne and dictates its action, of the animus that inspires and vitalizes its political life. And this is that band of Southern politicians, the living exponents of the latter-day policy and views of John C. Calhoun, who have no love for this Union, and whose purpose it is to put free labor under eternal ban, and by fraud or force to establish slavery on every foot of our present and future territories.

The administration of Mr. Buchanan is but the last intensified. With State sovereignty on its lips, its territorial policy is as absolute as Austria's. The partition of Poland to appease the Northern Bear was not more flagrant in its injustice than the attempt to force upon Kansas a constitution which she loathed, and which by ten thousand voices she had spurned. And if proof were wanting that the lower deeps of degradation were in reserve for us, it is afforded in the last act of the drama. The attempt to throw the lasso over Kansas, and to drag her, manacled and fettered into the Union, a helpless victim garlanded for the sacrificial altar of its enemies, did not succeed. Thanks to Senator Douglas and the republicans in congress, who, preferring the triumph of a principle to party, combined with the noble band of Americans to deliver the captive.

The administration now makes the infamous attempt to seduce the virtue of Kansas. It declares to her that

if she will consent to be baptized at the font of slavery, Mr. Buchanan standing as the god-father, she shall receive millions for her moral treason, and at once the added star shall glitter to her name on the national ensigns. Territorial pupilage for years is the avowed penalty of her refusal. And this is called submission of the constitution to the people! A highwayman demands of a traveler his money or his life. He surrenders his money and saves his life, and then the highwayman pleads that the act was voluntary!

Mr. Chairman, with what prophetic vision can we see the train of States yet to arise out of the now western wilds beyond the floods of the Kansas.

“ I hear the tread of pioneers
 Of nations yet to be,
The first low wash of waves, where soon
 Shall roll a human sea.”

What is their greeting by the democratic party, as, robed in beauty and glory, they advance from the womb of the wilderness and prairie? What is its language to the sons and daughters of New England, whom the throes of the Future shall give to people and subdue either slope of the Rocky Mountains? “ The fetters are already forged, our popular sovereignty is executive tyranny. You adopt free constitutions at peril. If free, you come in as beggars, and when by force of your numbers you are irresistible. For slave institutions we have bounties—for free institutions, territorial pupilage and stripes.”

Republicans, Whigs, Americans, we are met to-night with some differences of opinion on some subordinate questions, but agreeing in this: that the control of the federal government is in the hands of the disunion politicians of the democratic party, and that the dearest rights of State sovereignty and free labor are being prostrated

at the feet of this power. Protective of the rights of States or persons in connection with slavery, we are without a constitution. We have a parchment and a parade of words, but it has no more vitality, it affords no more safeguards, it yields no more certain guidance, known and read and comprehended of all men, than does a papyrus exhumed from Herculaneum, or now lying entombed under the Pyramids of Egypt. The will of a party has superseded the constitution. What is our political duty as men, as patriots? In the language of the call under which we are assembled, I believe it is "to unite at the polls for the purpose of deposing an administration at once so faithless and despotic."

I have no doubt that it is the solemn duty of all the elements of opposition to combine and restore the government, not to this party or to that party, not to this set of men or to that set of men, but to justice. If anybody will tell me how this can be done—how a party that has so betrayed the interests of the North, and violated the most sacred rights of State sovereignty, can be overthrown, and a just policy be inaugurated, and the federal offices still be left in their hands—I will adopt the happy method. But until this utopian way is revealed to us, I know no other than through an opposition congress and president. What, in the future, is to be the policy of administration? Is the whole power of the government, its army, its navy, its judiciary, its executive, its congress, all to be impressed into the service of the extension of slave and the depression of free labor? Is the slave-trade to be re-opened? Is the North to have no political life, except by courtesy? Are State rights to signify only the rights of slave States? Is this interest, representing few in numbers, but colossal in power, forever to overshadow the land, subordinating to it every other interest of prop-

erty and labor? These are the present issues before the country. Will we combine the fragments, big and little, to revolutionize the existing *regime*? The ballot-box affords the remedy. Will we adopt it? But there is a cry against coalition. A coalition! A genuine *raw head and bloody bones* to alarm the timid. A combination of men cemented only "by the cohesive power of public plunder," is a sordid banditti at best. But a union of men of different shades of opinion on minor questions, but united to restore justice to the government of the country, is worthy and patriotic. Some of the most beneficent social and political reforms of modern times have been the result of combinations independent of old organizations.

Truth is a great gainer when she is served rather by a general union of sentiment on a great question, than by the inflexible and often unscrupulous rule of a party. The abolition of the slave trade was never made a party question in the British parliament. The friends of emancipation combined, whig and tory, to secure this glorious achievement against a powerful opposition. Faction was not permitted to lay her hands on the ark of this sacred cause. The same is true of the free trade and the criminal law questions. Had men in their pride or cowardice shrunk from combining, who were otherwise at antagonisms, very likely that this very day the slave-ship, with its free charter and government-protected keel, would be plowing the waves of the British channel.

I think you have my idea. I think we should adopt the wise policy of the English people, unite on a vital question to put down an administration that has lost the confidence of the country. A few days since, Lord Palmerston was overthrown because he gave too ready an ear to an insolent demand of the French Emperor. New

combinations will overthrow the Derby ministry when it loses the confidence of the nation on any of the great interests of the kingdom.

I believe that, from the habits of our people and the nature of our institutions, two great opposing parties must generally and ought always to exist. They operate as checks upon each other. The tendency of power in any hands is to corruption.

The vigilance of jealous opposition is necessary to spy out abuses, and sound the alarm. But parties should be liberal, and should center rather in ideas than in men. I confess, that cast iron thing we sometimes call party, which compels every man to wear its collar and bear its brand—which tolerates no freedom of opinion, compelling its million adherents to march with soldier tread to the drum-beat of leadership—which, instead of embodying an army of free-judging men, approving what they deem right and disapproving what they deem wrong—is a body of political stereotypes, a myriad humanity cast in one mold, I loathe from the bottom of my soul. I will neither wear such bonds myself, nor impose them on my fellow-man. Parties should be liberal and just, shaped and reshaped to meet the exigencies and the judgment of the Present. The dead Past should be compelled to bury its own dead, and not permitted to hang the carcasses of decayed opinions upon the garments of a fresher life. Much has been lost to the great interests of the country by the intolerance of political organizations. We have erected nicely-adjusted platforms, have built our iron bedsteads of opinions and policies, and then laid upon them the narrow and the broad, the long and the short, the political bigot and the liberal, and chopped off and stretched out until men have lost their identities, and groped about with their mutilations, begging their neighbors to introduce

them to themselves. Individuality has been merged into a grand communism of opinion. I have no sympathy with it. My creed for an organization would be that of the old father in theology: In non-essentials, difference; in essentials, unity; in all things, charity.

When God is pleased to cast an audience like this in one physical and mental mold, and one man becomes a perfect type of all the other men, then this Procrustean policy may be tolerated.

What bearing have these views upon our present condition? The administration, by a series of measures which we believe utterly subversive of the liberties of the people and the rights of States, has lost the confidence of the country. Rather, it never had its confidence, and was elevated only because the opposition was divided. If it has not done all the mischief it has proposed, it has not been for the want of a will, but because the spirit of an oppressed people has been superior even to the power of the government. Shall the opposition, scattered all over thirty-three States of this glorious Union, and representing not all, but a majority of the high character, the intelligence and the material interests of the country, refuse to combine to overthrow this faithless administration, because when the great wrong is righted we may differ among ourselves on subordinate questions? Should we shrink from a common struggle for free altars, because, when the principle of toleration is triumphant we would not harmonize on creeds and rituals? Or, would we first fight together the battle of Runnymede, laying aside our minor controversies until *Magna Charta* was won.

And here I want to look for a moment at the claimed differences which now divide the opposition. And I say, on the threshold, that when brought down to the actual opinions of the great body of Americans and republicans,

and of old whigs who have kept aloof from both these parties, the recent action in congress shows there is no very wide difference between them. Distinct political associations and separate leaderships, and the bitterness engendered among different circles of men by the antagonisms and strifes of past conflicts, have dug a gulf between us, much deeper and broader than, as yet manifested, has any existing difference of opinion in relation to present or future policy. I present you John J. Crittenden, the veteran senator of Kentucky, as a type of the American sentiment, with rare if any exceptions, in every State of this Union. Who has dealt more damaging blows to the great iniquity of the administration than he? What is his position on the territorial question? That the federal government shall bring all its power, if necessary, to protect the settlers of the new territories against ruffian violence and official fraud; and if, in the free exercise of their suffrage, they adopt a free constitution, the new State shall be received into the Union as cordially as if it came with the institutions of his own State. No more, no less. That if by fraud or violence it has imposed upon it any constitution against its will, it shall be kept out, unless the wrong be righted, until the crack of doom. This principle adopted, and all the practical results to freedom in the territories which organization can give her, are secured. If this be not entirely accordant with the republican idea, it is sufficiently so to form the basis of a union for the overthrow of a power which, we both agree, is destructive of the rights of States and of the principles of the constitution. But it is said we were running different presidential candidates in 1856, and therefore, it would be argued, we must always divide, and open up a highway between our forces for the ever-triumphant march of the democratic party.

Not to review that campaign, I will say that the repeal of the Missouri Compromise, and the wrongs in Kansas, organized the republican party. Except as it was a vent to the justly-roused popular indignation, its practical results, as has always appeared to me, could be no more than to protect the settlers, and, by leaving them free to choose, make Kansas a free State, and generally be a resisting power to the aggressive portion of the slavery interest. That aggressive element is the interest which seeks its ends through the democratic organization. I have no doubt that had the republican party succeeded, Kansas would to-day have been a free and sovereign State. Had the American party succeeded, I believe the speech of Mr. Crittenden on the Lecompton Constitution—a speech worthy of the palmiest days of senatorial eloquence—a certain indication of what would have been its policy. I believe it would, on the Kansas question, have been the antipodes of the Buchanan policy, and that, protected by the paternal power of the government in its homes, in its franchises and rights, Kansas, robed in her most royal apparel, would to-day have been a free and sovereign State. I know that the action of a very large portion of the moral and religious sentiment of the country, and of its very best citizenship, was with the republican organization. But while such was the general character of the two hundred and seventy-five thousand republican voters of New York, I also know that the one hundred and twenty-five thousand voters in this State for the American candidates, represented as much intelligence and personal worth and patriotism as did ever any organization of the same number of men that was ever formed for political objects. As it was here, so it was elsewhere. We did not see alike our duty, and by a division of action, where, on the Kansas question, there

was little difference of opinion, the tyrannical policy of the Pierce administration was perpetuated. But because by reason of our dissensions, Joseph was sold into Egypt, shall we now refuse deliverance for our Israel? For without a union there is no national triumph for any other than the present policy. Strong as you are, powerful as you may be, you are not, separate, strong enough. United, the three-fold cord could not be broken.

You have my views. I would see an organization upon a basis broad enough to receive all the opposition to the present democratic policy. I want no "pent up Utica," with walls so high as to exclude John J. Crittenden, John Bell, Humphrey Marshall, Henry Winter Davis, and tens of thousands of noble spirits scattered all over the South, who love this Union as well as you and I do, who ask nothing for slavery but its constitutional rights, and who, with all the force of their intellect and position, have resisted the great iniquity of the administration. I ask you, my friends, if, while you are garlanding a Seward and a Douglas with the laurel wreath, if of the greenest and fairest, you would not deck the brow of the gallant Kentucky senator?

O, no, gentlemen, this fight is not against the South as a section, but *against a party in the South*. The democratic party having its central energy and head at the South, as much as the Papal Church has its guiding power in Italy, is the foe. And the majority in a half dozen States south of Mason and Dixon's line are with us on every essential principle. I tell you the old whig party in the slave States was opposed to the repeal of the Missouri Compromise, and knowing that Kansas has been fairly won by free labor, will throw the whole weight of their influence to secure to her her sovereign rights as a State. And that party constitutes to-day the largest

portion of the American party of the South. This is their position, not because had the laws of emigration and production made Kansas fairly a slave State, it would have been disagreeable to them, but because the same laws have made it free, and they stand, where they ask us to stand, by justice and the principles of the constitution.

But, it is asked, suppose we combine, and wrest the government from this misrule and injustice, and give to free labor its constitutional rights, and suppose that, after this is achieved, we shall so differ about a tariff, or a war, or a peace, or the District of Columbia, or Cuba, or about the Niagara Falls, or the White Mountains, that we cannot hold together, what then shall we do? If such a contingency happen, if Judah and Ephraim cannot agree after their deliverance from bondage, let them rejoice in the perpetual triumph of the great principle of this conflict, and separate. Let this organization then, if it must, "melt and dissolve and be no longer seen." If it shall have fulfilled its mission when it has crushed this disunion oligarchy, it will have lived not unworthily, and can afford to die.

Every present has its own questions. Sufficient for the day are the organizations that shall meet them. But I will say, in passing, that moral and political sympathies have their laws of attraction as well as have material objects: But it is asked by the democratic party, and with seeming anxiety, who is to hold the offices of your opposition party? I answer, men whose character and ability have its confidence, and whom its sentiments shall indicate as the desired exponents of its views.

But how is this combination to be accomplished? I answer, in any way that preserves the self-respect of individuals and parties. It can be, it will be, by no treaty between parties as victors and vanquished. We meet as

friends and equals. There is no Hector to be dragged around the walls of our political Troy to appease the wrath of any Achilles. I believe this is the universal feeling among all parties who desire a combined opposition. As for names they are of little consequence. We want substance, not shadows; facts, not fancies; results, not pageants.

Men of Erie county who have responded to this call! do we not agree perfectly on State policy, on the questions of the canals, and the protection of the purity of elections? Why, then, on State and county affairs should we divide our political action?

Do we essentially differ on national questions? Is it not true of a large portion of you republicans, and of a large portion of us Americans, and of all you old whigs, that for twenty-five years, with the exception of the interim since 1851, you acted in entire harmony—sharing common defeats, and rejoicing in common victories—worshiping at the same political altars—sitting at the feet of the same great teachers? And although events almost revolutionary, which lashed the public mind into storm as a tempest-driven sea, wrenching us in its fury away from our old anchorages, and whirling us by irresistible currents into new relations, had separated, and even angered us, did we not together go down to the side of the sea, to commit the dust we had alike honored in past days, to its last repose at Marshfield? Did not all our hearts sit in sorrow, mourning as those who would not be comforted, as our other—shall I say greater?—leader in the conflict of the past sank into his last sleep amid the groves of Ashland? “I had rather be right than president” was the instinct of patriotism which in Clay was ready to offer up every personal ambition on the altar of country.

Gentlemen, patriotism calls upon us to make some sacrifice rather of feeling than principle. Can we not say, ought we not to say, that

“ Those opposed eyes—
Which like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in th’ intestine shock—
Shall now in mutual, well beseeming ranks
March all one way, and be no more opposed.”

REPUBLICAN PRINCIPLES.

A SPEECH AT A REPUBLICAN MEETING, HELD IN THE COOPER INSTITUTE,
IN THE CITY OF NEW YORK, SEPTEMBER 13, 1860.

MR. PRESIDENT AND GENTLEMEN :

The late republican convention at Syracuse had a double office to perform. One to ratify the nominations, long before made by the people, of Governor Morgan and Lieutenant-Governor Campbell. This was not all. New York is "Empire," and among the foremost of the powers of the world, in commerce, in arts, in all the trophies of industry and peace. Still she is an *imperium in imperio*. Glorious as she is, appearing among the political constellations of this continent like

"—— a new morn
Risen on mid-noon,"

still she is but a planet in a system, obeying all the influences which would hold her in her constitutional orbit around the federal center. It again devolves upon her to express her purpose and will in relation to the future policy of the general government of which she forms so important a part. It was the business of the convention to indicate the medium of that expression. You will ratify that part of the labor of the convention at the polls under the banner of Abraham Lincoln. Gentlemen, Mr. Lincoln is the representative man of a great idea, an idea which the republican party is organized to maintain. There is inspiration in the moral element which

vitalizes your thoughts. We are entering upon a campaign, not of fiery passion, but of deep conviction, and that conviction centering not upon material and money-hunting interests, but in the nobler, the diviner elements of the human soul. It is a moral as well as a political controversy in which we are embarked. So far as it involves those States which are to spring from the virgin territories of the West, it is not simply a question of how rich they shall be, but shall their institutions be noble, humane, free. Shall labor, that gives value to all material things there, constitute a ruling element, be a recognized, respected power, having open to it all the avenues of wealth, culture and consideration, or shall it come under the law of caste, wear the badge of dishonor, and thus stand shorn of the glory with which God endowed it?

Nay, more, shall the old States, shall the State of New York, whose institutions are all the outgrowth of free labor, whose great heart has for fifty years beat in sympathy with the progressive thought of the age, erase her *Excelsior* from her escutcheon? Shall she substitute in the place of the Goddess of Liberty, whose image her escutcheon bears, the chains and manacles of human bondage? I do not overstate the importance of this controversy. I say there is an inspiration in the living issues of to-day which you will look for in vain in the currency and industrial questions of by-gone times. Decayed opinions, North and South, are buried out of sight, and the present, pulsating with all the energies of its new life, and clad in its moral armor, is occupied with the living facts of the hour. A few questions and rights were settled long ago, which we may for a moment review. Our fathers were men of like passions with ourselves. They had private ambitions, purposes of gain,

local pride and State pride. They passed through the revolution with that rope of sand, the confederacy, which was utterly impotent to meet their commercial or national necessities. It was not sentiment alone that led them to form this federal union, although fraternal feeling was not wanting. It was as well a necessity arising from defenseless frontiers, a prostrate commerce, a ruined credit and the utter want of any central power to do any act to meet a single one of their pressing exigencies. There was nominal slavery then in all the States, only nominal in the Northern. It formed one of the serious embarrassments to the Union; but after months of discussion in the federal convention, in State conventions, and in the primary assemblies of the people, the Union was formed, the result of amicable concessions and adjustments, sacred and inviolable then, sacred and inviolable now and forever.

The three-fifth representation in congress of those holding the servile relation; the keeping open the slave-trade until 1808; the provision for the return of fugitives from labor, meaning escaped slaves, with such other rights as the common law then in force throughout the country, could invest that interest—these were the chief rights guaranteed and secured by the federal constitution to the institution of slavery. These are the stipulations in the federal bond which our fathers pledged New York for all time to maintain. She always will maintain them and discharge this debt levied upon her honor. Good faith is the basis of all human confidence, and of all free empire. And as an individual man, I unite with you in this canvass because I find at the threshold of your organization a sacred pledge of your moral and political power to maintain inviolate the rights of the States, leaving to them the amplest exercise of every

right which under the federal constitution pertains to State sovereignty; because you have pledged the power of the government, if you shall ever be invested with it, to put down all unlawful invasions from without of the slave States, and to punish as "the gravest of crimes" such forays upon their peace; because, furthermore, I find in the man who is to give direction to the policy of your administration of the government, a man whose every sentiment and act, in private and in public life, demonstrates his love of this federal union, and his fidelity to all the balances and compromises of the constitution. In the moral and political pledge which you gave to the world at Chicago, and in the character of your nominee, I find solid ground to stand upon. Nothing can jostle it, for it is anchored in eternal justice.

Gentlemen, why is the slavery question, North and South, the pre-eminent one, submerging for a time every other public question? I think I do not mistake it, when I say, that it is because the controlling part of the slave interest is attempting to revolutionize the whole theory and practice of the government in its relations to that institution, and the democratic party has fully committed itself as the instrument for consummating that revolution. It was initiated by Mr. Calhoun, when the last sands of his life were running out, his eye still undimmed, and his intellect in the full splendor of its power. To have the federal government recognize and protect slavery as a national, not a local institution, as the creation of universal and not of municipal law, that it may under such regulation and protection obtain a foothold in principle, and in fact, in all our territorial domain, and by logical consequence in every State of the union where the master may please to transport his slave—this, I say, is revolutionary doctrine. Until within the last fifteen years

it was always conceded that the servile relation was solely the creation of municipal, and not of natural and universal law. This was declared by Lord Mansfield to be the law of England. It was this national sentiment pervading the body of English law, which inspired Curran to utter that immortal tribute to the genius of emancipation, at whose touch "the god and the altar of servitude sink together in the dust," leaving the victim "emancipated, redeemed and disenthralled." Such tribute did the noble old common law pay to personal freedom. In addition to this, it is the avowed purpose of a large and influential portion of the democratic party to re-open the foreign slave-trade, and obtain a code for its domestic protection in the territories.

These new doctrines I resist in their whole and in their details. I resist them because while I believe that none but a parricidal hand would touch a single one of the safeguards of slavery in the States where it now exists, through the agency of the general government, and against the consent of the States themselves; I also believe slavery to be a relic of the darker ages, which ought to recede rather than advance, before the light of a Christian civilization. I resist them because I believe it is a blighting curse to the territory in which it obtains a foothold, and to its people. I resist them because I believe its establishment as a principle and as a fact is equal to a bill of exclusion of emigration from the free States. Free labor and slave labor I believe may exist in separate States, under the same federal government. Had no new territories offered a theatre for the struggle now going on, I believe Virginia might have held slaves to the crack of doom, and not necessarily interfered with the free labor system of New York. But if Virginia establishes her institutions in Kansas, and throws around

them the protection of the general and State governments, New York is practically excluded. The prosperous establishment of both these systems in the same State government is impossible, and the settlement by either in a given State or territory is an absolute conquest to itself until the system voluntarily yields to its rival. Now what is demanded by the extreme slave interest, and what I believe the democratic party will concede, as it has always conceded everything it dared, always having in view its ability to retain its foothold in the North, is either a matter of right under the constitution, and if so, the slave interest is entitled to it, or it is not, and then it resolves itself into a question of ability to command its way and enforce its will. Is it, under the federal constitution, entitled to what it demands? Whom shall I consult? I, for one, will go to the fathers who reared this constitutional edifice, and, with the most teachable spirit I can command, will sit at their feet and learn of them. And from Washington, and Jefferson, and Hamilton, and every statesman of the early time, I learn that under our constitution slavery is local, not national, that it is a relation of labor, not a condition of property. I learn, too, from them that it was regarded, not a blessing to be perpetuated, but an evil to be lamented.

The mantle of the fathers fell upon the shoulders of Henry Clay, whose every instinct was patriotic, and from him I learn that neither patriotism, nor moral duty, nor fealty to the constitution, requires me to surrender the new territories, whether acquired by purchase or conquest, to slavery. With his hand on the holiest altar of country, himself a representative of a slave State, he declared that "no earthly power should ever make him (me) vote to plant slavery where slavery does not exist." This is Southern authority. There is another, a little

nearer the North star, to whom many of you, as well as I, are accustomed to go for just expositions of the constitution. A man of the most capacious intellect of his time, a man who cherished no local patriotism, but loved, as he illustrated and adorned, his whole country; who, during his last days, was separated from many of the staunchest friends of his early and middle political career, and who went down to his grave in the transition period of the republic under circumstances which left a work of justice to be done his political memory by posterity, a work which I believe posterity will be glad, as it will be certain, to execute. A hundred years hence there will, except Mount Vernon, be no spot where our illustrious dead repose, more honored by the American people, than the tomb by the side of the sea at Marshfield. Not a line of all the precious legacy Mr. Webster left his countrymen—a legacy which they will not willingly let perish—can be found favoring the new doctrines. He repudiated them through the whole of the stormy controversy which grew out of the passage of the Compromise Measures of 1850. I listened to his great argument at Buffalo in a drenching rain-storm, when he developed his idea of the constitutional rights of slavery, as no man but he could do, and I heard him utter these words to that enchainèd assembly:

My opinion remains unchanged, that it was not in the original scope or design of the constitution to admit new States out of foreign territory, and for one, I never would consent that there should be one foot of slave territory beyond what the old thirteen States had at the time of the formation of the Union. Never, never! No man can show his face to me and prove that I ever departed from that doctrine.

Now this is authority from the guiding-stars of the revolution, and their immediate successors, which upon a

question so vital to freedom, and to the best interests of my country and my race, I will not reject for the decisions of a democratic caucus of yesterday. Give me the perennial fountains, not the dead sea. So much for the constitutional view on authority and precedent. There is another view of this question. I know, as I have already stated, that commercial and other material interests, rather than sentiments, led to the formation of the federal constitution. I know that slavery then bore no such relation to the wealth and economic questions of the Southern States as it does now. Its cotton crop was then nothing. Now it is two hundred million dollars per annum. Slaves were of trifling value. I know enough of human nature to know that the humanities have a freer play with the negroes at one hundred dollars than at \$1,500 per head. I know that increase of our territory was not contemplated. The future of their country the fathers did not comprehend. They "builded better than they knew." The expansive or aggressive element of our institutions has annexed to itself, since the government was organized, the vast territories lying between the Mississippi and the Pacific. This is the legitimate outworking of our race. This commercial and Christian civilization which we represent, is the Aaron's rod of the age, which not only buds and blossoms, but absorbs the lesser rods, the effete civilizations, the "sick powers" with which it comes in contact. Slavery, by common law, and by the constitution as construed by the fathers, was excluded from most of this territory. How should the barriers be broken down? Only in one way: by adapting the constitution to the exigency. Slavery took this view, and to a certain extent I believe the doctrine. It is truly expressed by

the apothegm of Sir James Mackintosh that constitutions "are not made, but grow."

Our federal constitution is definite, like a code, upon scarce any of the questions of political economy which constantly arise in a free State. Hence the views of individuals and of sections of the country as to their constitutionality, generally are in accordance with their supposed interests. Does anybody believe that if every State in the Union had the same interest in protecting manufactures through revenue laws as Massachusetts, that there would be such a conflict over its constitutionality every time a protective tariff is proposed in congress? There certainly would if human opinions are regulated solely by degrees of latitude and longitude. Then how is this question, of which the constitution directly says nothing, to be settled? It is to be settled by the policy of the government. And that policy depends upon whether the Slave idea or the Free idea obtains the legitimate possession and control of the government. The constitution will "grow" under the developing hand of slavery up to its requirements, or it will remain where the fathers left it, under other guidance. It is a race for power to control, and here begins the conflict for supremacy between opposing forces; a conflict which ever has appeared, and ever will where there are conflicting interests. Here the battle is to the strong, and submission for the weak. The defeated party may retire with broken lance and shivered shield, if it must, to sorrow over its discomfiture. This is ever its mournful office. For more than six thousand years, the world has echoed the wail of Hell's great hero:

"To be weak is to be miserable,
Suffering or doing."

States march to opportunity, and they weep or rejoice as they lose or win. This conflict, irrepressible until the controversy be settled, is going on this very hour in every government in Europe. It is in our very midst and all around us. What interest shall shape the public policy? In Italy, shall it be the Pope or the people? In England, shall it be the landed aristocracy and a few large aggregations of capital, or shall it be the great body of citizens who bear substantial burdens to maintain the government? In the United States, shall it be the interest of Slave labor or the interest of Free labor? The new territories were a great prize for the one or the other. It could not be a divided possession. Slavery talked sophistically about the constitution as it is, as it continues to talk, knowing full well that it is the constitution to be, at which it is aiming. It met the exigency boldly—repealed the Missouri Compromise, sent armed men to take possession of the territory, and having the executive government in its hands, employed all its power to wrest it permanently from Freedom. The iron glove of War was thrown at the feet of Free Labor, and the conflict began. Opinion met opinion, steel clashed with steel. For three years Kansas was the field for the first great, open and bloody conflict for the supremacy of opposing ideas and systems. The government took the territory from Freedom and gave it to Squatter Sovereignty. The guardian of the trust was not equal to the task. Freedom wrested it back from Squatter Sovereignty. It was as fair a struggle as any struggle which is to be fought out. Slavery lost and Freedom won.

Now the tactics are changed. The nationality of Slavery is demanded, and a code of intervention for Slavery, and of non-intervention for Freedom. Another gage of battle. Happily, this is to be settled by the most harm-

less of all weapons, noiseless as the snow-flake, but here more potential than armies or navies. I tell you, gentlemen, free constitutions are growths as well as creations. How ours shall grow is the question of the hour. Grant that it is for the interest of Slavery to take this mighty wealth—the unoccupied territories—to itself. It is equally for our interest that they be open for the development and expansion of free institutions. I will not put it upon any higher ground than material considerations. And then I say, it is the mightiest stake ever played for by a free people. If Slavery wins in constitutionally appointed ways, gets and keeps control of the government, neither you nor I will go mad out of this Union, nor unite with any conspirators to overthrow it. The immortal declaration declares our right to liberty, but I suppose that gives me, as a citizen of the United States, liberty to do what the laws permit. I stand by the laws, whether with me or against me, with a freeman's right to change them if I can when they are against me. I have said that the logical result of the new doctrines carries slavery per force into every State. Not to dwell upon this, I will remark that there is now pending in the courts, a question which, if settled adverse to freedom, not only annihilates State sovereignty, cleaves it down to the grave, a headless, lifeless trunk, but plants the institution in every free State at the North.

You remember the Lemmon case which arose in this city. Eight slaves were voluntarily brought by their owner on to the soil of New York, while she had a statute declaring the servile relation dissolved by such act on her territory. I am speaking not of comity but of sovereign right. The courts of this State, after a most exhaustive argument, have decided that New York had the constitutional power to pass and enforce her law. It now

goes to the federal court. Virginia, the representative suitor on the one side, and New York on the other. If the Dred Scott decision be an indication of the sentiment of the court, it will need but a paragraph from that gowned bench to strike down all the pales and forts of personal liberty which New York has been eighty years in erecting. "Resist the beginnings," is the motto for us. But I am keeping you too long from a banquet, compared with which mine is but as husks contrasted with the suppers of the gods. My eloquent friend,* who lighted the torch of his genius at the fires of a freedom which in Europe in 1848 flamed to the heavens, which now are not smothered, but slumber in the great deeps of God's providence until the hour and the man shall come, has learned on these shores, which have welcomed him, that Liberty brings her richest offerings to the shrine of Genius, which, in turn, pays to Liberty its homage and its worship.

* Carl Schurz.

LETTERS FROM SPAIN AND PORTUGAL.*

NUMBER I.

FUNCHAL, ISLAND OF MADEIRA,
November 17, 1858.

It is with new and strange emotions that one exchanges the last adieu with friends as he leaves his native land. At least such was my experience when, on the twenty-fifth of October, I embarked upon our little vessel to trust me to the winds and waves of the Atlantic. Will we again, after months of wanderings, be permitted to greet the loved shore, again to exchange gratulations with friendship, and still fonder sentiments with kindred and home? A world of thoughts rushes over, and almost overwhelms the soul, as the last vision of country fades from view, and one finds himself fairly parted from the shore, with only a plank between him and death. Perhaps it is weakness to yield to the sentiment of the hour. Let him who is superior to such effeminacy enjoy his granite nature as best he may.

I was fortunate both in my vessel, and, what is no small consideration, my companionship. Having one leading object, health-seeking, I comparatively cared little whither I was borne, so that the associations were agreeable.

* This series of letters was published in the Buffalo *Commercial Advertiser* in 1858-59.

I took passage on the barque Calestia, of two hundred and fifty tons, bound for Sicily *via* Madeira, and found three other gentlemen of our State who had taken passage with exactly my own motives. For a merchant vessel of so small tonnage, a better could hardly be found. By evening we were fairly at sea, and we had no sooner reached the "white caps," than sea-sickness with all its horrors took possession of me. Over the first three days I would drop the curtain.

On the fourth day I was convalescent, and after that my acclimation was complete. The fifth and sixth days out realized all I could desire. The air was soft and balmy, the sea smooth enough to give an easy movement to our vessel, and we congratulated ourselves over the pleasing prospect. Magnificent were the nights succeeding those two days. Until the small hours of the morning we kept company with the stars, singing the songs of home, regretful that our voyage was to be *but* twenty-five days.

Alas! for our calculations. The seventh day out brought strong west winds and rain, which, while they sped our vessel about two hundred and fifty miles per day for ten days, gave us very rough seas, and not a day without heavy rains. Our little vessel rolled like an egg-shell; there was no comfort anywhere. By night we had a struggle to keep our berths, and by day we had our choice of being mercilessly driven by rolling seas from one side to the other of our little cabin, or of, with great difficulty, maintaining a sitting posture on deck in rapidly alternating rain and sunshine.

Our table life, all things considered, was well enough, but for the utter discomfort of a constant struggle to prevent a community of soups, and collision of persons. But with these serious abatements, we had a fine passage

for the first sixteen days. The seventeenth out was a day of calm, and the eighteenth, while it revealed to us in dim outline the mountains of Madeira, brought one of the severest gales which for years has been known on this coast. On the morning of the thirteenth of November, Sunday, we passed Funchal, when the storm was at its height. That night was one of terrific fury. The winds howled through the rigging of our ship like a thousand unleashed demons. The strength of our foresail alone kept us off the *desertas*—three barren rocks—of miles in extent, lying off on our lea.

On land at last! Never was I so happy to tread *terra firma*. I was about sick from sheer exhaustion, had known no comfort in eating, drinking or sleeping for more than two weeks, and during the last four days of storm, had lost what little of philosophy I ever possessed. But soon succeeded one of the most pleasing contrasts of my life. After the examination of that great European annoyance, passports, I found myself transferred to a most delightful hotel home. A genuine John Bull relieved us of every care for baggage, and the dinner, soon in readiness, was all that could gladden hungry and tempest-tossed men.

The roast mutton and chickens! the green peas! the whole circle of tropical vegetables, and all done to a charm. Then the oranges from the garden upon which our dining-room opens, itself a “wilderness of sweets,” the banana, the custard and pineapples, etc., etc., and last, but greatest and best, a cup of English breakfast tea, luscious as the nectar upon which Homer’s gods were wont to regale—are not these to be gratefully remembered? Then to exchange our pent-up and illy-ventilated sleeping-rooms for cleanly and spacious apartments; our ship’s linen, which would have served the gay

ladies of Windsor in their plot of mischief against that “fast man,” Falstaff, for “sheets that smell of lavender,” and invite to a repose sweet as infancy, my word for it, were enough to excite a stoic’s enthusiasm.

But the sea! I have one or two practical observations thereon. I entertain no doubt that it has done much for navigation. I yield this without argument. But the poetry of the sea I think somewhat, as our friend Rogers would say, “humbugous!” It was doubtless very pleasant for young master Byron to go down to the shore when ocean was asleep, or weary from his tempest battles, and lay his hand on the old fellow’s mane, at least he says so; but to be on the sea day after day and week after week, the eye ever resting on the same illimitable extent, the same rising and sinking of the waves of the sea, the same play and dash of its waters, is soon—at least such is my experience—to become tired of its monotony. Emerson says there is but one first view of a fine picture. I know there is but one first of the ocean for me. I had mine three years since at Nahant. I have seen in three weeks a hundred times as much of the ocean as I saw then, but nothing approaching the magnificence which ravished almost every sense at that first moonlight view. Poetry and music have run mad over the sea in its wilder moods; I have myself sung with great success, “I’m afloat! I’m afloat!” to admiring audiences! but I would say to the friends who have kindly assisted me on such occasions, that “I’m afloat,” in the parlor, amid social grace and beauty, where love and friendship unite to swell the chorus, is vastly more charming than on the “wide rolling tide.” The lightnings verily do “appal,” and the rover is not half so “free” as the song pretends.

The island of Madeira, discovered about four hundred years ago by a Portuguese voyager, lies about 32 deg.

north latitude, and between the longitude of 16 deg. and 17 deg. west of Greenwich. It is about twelve miles in width and thirty in length. Funchal is the only town of importance, and has a population of about twenty thousand. Its harbor is a mere roadstead of the ocean, where is an indentation into the shore somewhat of a crescent form, for about three miles. At either end of this low land rises an unbroken line of immense rocks, hundreds of feet in height, forming a natural rampart nearly around the island. From high water-mark along the crescent, back for perhaps twenty rods, is a gentle elevation until a point about fifty feet above the sea is attained, then follows a plain of nearly a quarter of a mile, and then begins to stretch out an amphitheatre, rising at an average angle of at least forty degrees, until it reaches an elevation of about three thousand feet. The view of the city as it appears on approach from the sea is surpassingly beautiful. While there is no one building particularly attractive except the fort and the Mountain Church, the entire architecture of the city is brilliantly white, and the residences of the wealthier classes are scattered over this amphitheatre to its summit. The sugar-cane clothes the ground with the hues of tropical vegetation. The backbone of the mountain is broken by many deep ravines which impart a wild aspect to the whole scene.

Funchal is a finished city. I have observed but one building in process of construction—a hospital. But it was built at first for all time. The buildings are all of stone, with walls of immense thickness, eighteen to twenty-four inches, and plastered with a hard white finish. A shabby building is rarely to be seen. The little homes of the peasantry are also of stone.

The first novelty that meets the eye of a stranger on landing is the method of locomotion. On our arrival

troops of men and boys were anxious to serve us. But in the place of carts and omnibusses, we found what are very like our farm stone-boats, being about eighteen inches in width and six feet in length, drawn by a yoke of small oxen. These do the entire "carting" of the city. These for our baggage. For ourselves were saddled ponies, and carriage bodies set on coarse runners, and these drawn by oxen. With two or three exceptions, there is not a wheeled vehicle on the island. The methods described, and the palanquin and hammock borne on the shoulders of two men by means of a pole, constitute all the methods of transportation of persons about the city. The fashionable "turnout" is a well upholstered carriage body on an ox-sled, drawn by a yoke of demure-looking cattle, having a man by their side and a boy in front. This takes to church, to shopping errands, to calls of fashion and scenes of pleasure. A stranger is soon familiarized with this method of locomotion, and acknowledges its good sense. The reason is twofold. Time is of little consideration, and an extent of about two miles in length, and a half mile in width, is all that will admit of carriage of persons in any sort of vehicle. This method of transportation through the streets, together with the general quiet of the town, makes the city as still as a New England hamlet. The peasantry use their heads for transportation purposes, as do German peasant women.

There is one animal of burthen of which I must not omit to make honorable mention. It is the ass. Hundreds of them come into the city daily from the interior, a much-abused and sorry-looking race. Yesterday I saw a troop of a dozen laden with wine casks. As they struggled under their vinous burthens they were the image of despair. They looked anxious to sign a petition for the Maine law for Madeira. Poor fellows, I couldn't help

them. Funchal is literally a walled city. From the time the streets begin to ascend from the plain I have mentioned, they are walled until a height of at least two thousand feet from the sea is attained. The walls are from ten to thirty feet in height, and stuccoed. They exclude the private mansions from view. The tops and sides of these walls sometimes present a scene of great floral beauty, covered as they are with the finest tropical vines, which in their rank luxuriance often come quite down to the street. There, overhanging your head, are the banana, the orange, indeed all the fruit trees of the clime. Some forms of the cactus are found everywhere, by the road-side, on the mountains, in the rocks by the way, presenting a scene of great beauty. Some of the gardens of the wealthier English and Portuguese surpass in beauty and luxury all I have ever conceived of tropical splendor. I have visited the garden of a Mr. Davies; it must occupy, with his splendid mansion, about four acres of ground, his summer-house being built directly on the cliff which juts over the sea, and elevated about two hundred feet above the ocean. Seemingly his garden represented the whole botanical kingdom. Milton's Paradise seemed to me literally realized.

"Groves where rich trees wept odorous gums and balm ;
Others, whose fruit, burnished with golden rind,
Hung amiable. Hesperian fables, true,
If true, here only, and of delicious taste.
Flowers of all hue, and without thorn the rose."

Four small streams pass through the town. These are walled in in the same manner, and their banks planted with the buttonwood tree. These streams are the wash-tubs of Funchal. The city is everywhere cleanly and well watered.

Its fruit, fish and meat markets are substantial and excellent.

The island has some of the grandest scenery in the world. Travelers say it is second only to that of Switzerland. I shall attempt no description of the "Grand Curral," nor of the lesser views. They are daily visited, costing the ascent of five thousand feet, in hammocks borne by men, or upon sure-footed ponies, ever attended by the *burriquero* (attendant), who holds on to the tail of the pony, while you struggle to maintain your position in the saddle. Deep ravines, jagged and sky-piercing rocks, innumerable waterfalls interspersed with patches of cultivation, danger, weariness, all these are indelibly associated with my views of the island.

"Mount Church" is a fine edifice, two thousand feet above the sea, a most wearisome ascent on horseback. Visitors generally ride down the mountain on a sledge. This is a willow box with comfortable seats placed on runners. It is guided by two men, and its own momentum propels it a mile and a half in about twelve minutes. The plaza in the center of the city is beautifully shaded, and has inviting seats for the lazy and weary, which, in this enervating climate, will not invite the stranger in vain. On Sunday afternoon a band of music is stationed here at four o'clock, and makes "brazen melody" for the crowds who seek this retreat after the services of the church. I have been interested in the peasantry of Funchal. If they have their vices, they have their virtues, and among the latter I would mention their politeness. When meeting each other the peasant cap is always removed from the head, and the civil bow exchanged. The same civility marks their treatment of strangers. This external courtesy is the rule. Perhaps manners can hardly be

esteemed a virtue, but they certainly impart a grace to life in its humblest as well as its most exalted types and relations.

The peasantry seem happy. They work hard for small wages, and have large families; but they are cheerful, musical, and, I think, contented. They are sadly belied, if truth and honesty in transactions are distinguishing virtues. Possibly economy in these elements of character may be found outside of Portuguese dominions.

Progress and invention are here unknown. All improvements in implements and styles are rank heresies. The island belongs to Portugal, whose political institutions are modeled after those of Great Britain. There is now toleration in religion for foreign Protestants, but the Roman Catholic religion is the only one permitted to the Portuguese. Pains and penalties are the price of native dissent.

So much for Funchal and the island of Madeira. We expect to sail for Sicily on the twenty-sixth instant.

NUMBER II.

LISBON, *December 15, 1858.*

I told you in a former letter that I should sail for Sicily on the twenty-sixth ult. We set sail as proposed, but on the first morning out were run into by an iron steamer of three thousand tons. Fortunately it gave us a side blow or we had gone to the bottom in a twinkling. As it was, a sharp naval engagement could hardly have more completely dismantled us—not a mast was left standing. We put back to Funchal whence I took steamer for Lisbon, a passage of sixty hours. The boat was thoroughly

English in its comforts, the captain a genuine John Bull, and a decided character. He had a most decided faith in the Church, in her bishops and in Victoria. He said the grace at dinner much as he would have carried a siege, by storm and in a great hurry. Dinner over, he was "in merry pin," and once held me a long hour in reciting his exploits in the first China, the Indian and Crimean wars. He planted the first English flag on the fort at Amoy, in China; his vessel towed up the first elephants for the Indian war to Calcutta, and he had performed divers exploits which were promised adequate reward, but as yet he was left to feed upon the consciousness that he deserved a monument more enduring than brass, and that it is sweet and beautiful to serve one's country, even short of the death point.

I heartily relished so positive a character, wearied as I was with the insipidity of the Madeira Portuguese. The ceremonial politeness of the latter at first attracted me, but when I found it in the poor associated with great ignorance and universal mendicancy, with few elements to command respect, however much they might your sympathy, and when among the higher classes, I found it generally associated with indolence, effeminacy, a tenacious clinging to the shadow of an ancestral respectability, without the slightest effort to achieve anything for themselves, I was right glad to take John Bull by the hand. Gruff and surly as he often is, he is the type of energy and conquest, and his very audacity, trampling as it often does upon social manners, helps to make English character one of the chief motors of modern progress. A thorough-bred mastiff is, for practical purposes, worth a universe of poodles.

On the morning of the tenth, we found ourselves making our way up the Tagus, on whose bank is situate the

city of Lisbon. The approach from the sea is very pretty. The hill-tops, which rise from either bank of the river, exhibited a novel spectacle. They are crowned with wind-mills which, on this breezy morn, were all in motion. I counted over a hundred in a distance of not to exceed a mile. A chivalric imagination might easily fancy them defiant and challenging to combat. Indeed, instanter, I changed my life-long views of the gallant charge of Don Quixote upon the army of these menacing agencies. With the Don's peculiarities, full of the chivalry of his day, ready for any high emprise, I am certain such an array as the Tagus presents would have unsheathed the sword of a less valiant hero. When disposed to undervalue his prowess, let us remember that wind-mills were not as well understood in his day as in ours. The world has moved several pegs since the time of his exploits.

Madame Bolt's hotel is *the* public house of Lisbon, and there I am ticketed from Madeira. On approach, it seems more like a well-secured warehouse than a hotel, bolted and barred as it was, opening only in answer to the bell summons. The proprietor will show me the rooms. By the way, these "family hotels," I think, a great improvement on the little single bedroom and *table-d'hôte* system. He thinks the parlor and bedroom on the third floor will please me, for it has in connection—what do you think?—a private chapel! Sure enough, on the one side of a very handsomely-furnished private parlor is a well-equipped bedroom, and on the other side, approached by folding doors, the promised chapel with its altar, its crucifix, its paintings of saints, angels, the Madonna, the infant Saviour, etc., reflecting more credit upon the devoteeism of the founder than on Portuguese art. And here excuse a digression upon the establishment of these private chapels in Portugal, for they illus-

trate a part of the State polity in connection with the national religion. In Portugal, estates may be entailed, provided they have an income adequate to the dignity of an entailment, by consent of the government; but one of the conditions of the permit is the establishment and maintenance, by the proprietor, of a chapel, either on his own land or elsewhere. This hotel is part of an entailed estate, and this, the chapel, founded in accordance with the law, whose erection is also by special permit of the Pope, and by due and proper rites of consecration. But the maintenance has been transferred to some other chapel by permission.

As these rooms open upon a fine balcony, and command a full view of the harbor and of the Tagus for miles in either direction, and of the towns and range of hills on the opposite shore, I acquiesce in my landlord's decision.

Lisbon, without being a very brilliant city, has its own attractions. Much of it has been built upon the ruins of the earthquake of 1755, and a portion upon land made into the river Tagus. You land at the custom house. Here is a fine square of about six or eight acres, in the center of which is a colossal equestrian statue of Joseph I. The three sides of the square, except the river front, are built up very handsomely and uniformly with revenue and other public buildings. The new part of the city beginning here, is as regular as Philadelphia—its blocks being in uniform style of stone and stuccoed white. The older portion of the town is up hill and down dale, and defiant of all regularity and style. Monuments of the earthquake of 1755 are to be seen in all this section of the city. Especially have the old convents and monasteries been left undisturbed by human hand. Their outside walls are standing, the roofs having fallen, crushing

in their course the unforewarned inmates. I visited two of these monuments of that terrible destruction. There are the cloisters of the doomed occupants; wild weeds hang over the broken ruins, and the mould of a century intensifies the gloomy scene.

There are no public buildings specially worthy of notice, except the churches and the new palace of the king. The French carried off the fine pictures of Lisbon during the Peninsular war and forgot to return them!

The public grounds are small but tasteful. They have broad promenades, flower-beds, clusters of shrubbery, artificial ponds, statuary, inviting seats, stations for bands of music, and among the shrubs the orange tree now laden with ripe fruitage, and roses of every variety, some of which are now in full bloom. During these afternoons of clear sky and delicious air, these parks afford a brilliant scene, as the promenades are threaded by "the beauty and fashion" of the town.

I visited one of the military hospitals. I could suggest no improvement. A very polite gentleman took me through all the wards into the library of about two thousand volumes, into its medicinal department, etc., talking most volubly all the time in Portuguese, of which I understood not one word. The more I told him I did "not comprehend," the more volubly he pelted me with courteous Portuguese. He was manifestly delighted to exhibit the hospital to the "Americana."

The parliament house is one of the many immense convents and monasteries confiscated by the new government. By the courtesy of a member, I had an eligible seat during a day's session. I understood nothing that was said, but much enjoyed the spirit and temper of the debate. The Portuguese, like the French, speak with energy and constant gesticulation. Withal there is a

prevailing courtesy in their discussions. The question of that day was upon a call on the ministry to produce the documents relative to the recent controversy with the French government, growing out of the arrest of a slaver. (No escape from the everlasting slavery question, you see, even in Portugal.) The attack on the ministry was by the leader of the opposition, one of the lean, Cassius sort of men, nervous, wiry, bold and audacious. He looked like a man for opposition. His manner was very energetic and, judging from the "hear him," "hear him," (in Portuguese), which rose almost to the storm point, I concluded it was satisfactory to his party. I hoped to hear the prime minister, Marquis of Lola, in reply, but was disappointed. He is a model of courtliness and personal elegance. Nothing could exceed his calm, self-possessed and utterly undisturbed air, amid the war of words made upon him. The reply was by the minister of finance, which seemed conclusive. The end of that French controversy is, that as France is strong and Portugal is weak, the latter yields, pays for the vessel, and Napoleon protects his slave-ship from scrutiny and arrest by placing an official agent on board. His diplomatic lies are to be received as truth, because they are official, and there are guns behind for demonstration.

I think the appearance of the Portuguese *Cortes* would compare favorably with most parliamentary bodies I have seen in the United States, always excepting the Senate of the United States. The house of peers I did not see.

The public police of Lisbon are soldiers of the standing army. They are to be seen everywhere, at churches, public grounds, at the parliament house and hospitals, indeed at all public places and at every turn of the street.

The scenery about Lisbon reminds me of much I have seen at home. A ride into the country brings you into a landscape of hills, valley and plain, which at once brings New England at midsummer to mind. The olive substituted for the apple orchards, and nature is the counterpart of New England scenery. But when, in a ride of five miles, you meet two hundred asses loaded down with chickens, vegetables, babies, wine casks, indeed every product of the country, and hear constantly that horrible bray, "grating harsh thunder," you fail to recognize the railroads of New England in the transportation power of Portugal. The old and now deserted monasteries here and there on the hill-tops, the little chapel with the cross, and some rudely-executed piece of sculpture fairly bronzed by time, and occasionally the cross itself by the road-side, bearing a date a century anterior to our Declaration of American Independence, all these will be sure to dispel the illusion and impress upon you the conviction that you are not in native land, and more, that you would not exchange native land with its intelligence, its activities, its moral and its material power, for a thousand Portugals.

Lisbon can get up a very pretty sunset. It has all the requisite materials. Come with me on to the balcony from my room. The lower edge of the sun is just going below that point of land which runs down to the sea. In the distance is the ocean, and the Tagus is full ten miles in view, and its surface calm as an infant's slumber. Opposite is a fine town, and the range of hills behind it, has that half-twilight obscure with which the haze of an Indian summer envelopes a New England landscape. Now the sun is just out of sight, leaving a sky soft and beautiful. Everything is in repose. Not a cloud moves of all that cover the western part of the heavens, clouds of every hue, from the deep purple "fretted with golden

fire," to the most delicate blending of colors that ever defied your powers of description. Above, the sky is pure cerulean. The moon? No matter about her. She seems very comfortable and "rides majestic." But the wind-mills! Ah! there they are, at least a hundred, and all with folded arms, not a breath to ruffle the most nervous of the host. Had Don Quixote found the army on which he made that valorous onslaught which has made him the laugh of this scoffing generation, in as gentle and subdued a mood as are those which crown yonder heights, and seem with me struck by the enchantment of the scene, my word for it, the Don would have suffered his sword to slumber in its scabbard to this day, ere he had attacked an army so pacific.

The Tagus at Lisbon reminds me of the Hudson at Albany. With its winding course, its ample breadth, its shores bordered by continuous villages flanked by a range of hills, and bearing a richly-freighted commerce as it flows with majesty on to the sea, it is very like.

From here to Cadiz, to-morrow.

NUMBER III.

CADIZ, December 27, 1858.

The French language is the medium of expression among the Babel tongues of Europe. I pray you, don't come abroad until you can speak this universal social language. If you do, after this warning, you will deserve to get everything you don't want, and nothing you do. And you will yourself be, though a harp of a thousand strings, an instrument hung up in a case, without one audible note of melody or concert. For

the English language in Portugal and Spain is almost—*no where*. One warning further and I have done. Never come into Spain unless you are reconciled to constant, and everywhere, smoking. In the *diligence*, close as curtains and shutters can make it, in the cabin of the steamboat, while women and children are almost dying with sea-sickness, at breakfast, at dinner, and without the slightest apology or “by your leave,” the Spaniard is a perpetual Vesuvius. I have hardly seen a streak of clear air since I came into Spain. Workmen smoke at labor, the cook smokes while getting your dinner, manufacturing his paper-cigar while engaged in the most delicate duties of his profession. And nobody except an American has the temerity to complain. Will it not be wise to prepare in advance for this excess of a good thing?

It was half-regretfully that I parted with Lisbon on the seventeenth instant. For the picturesque and beautiful in nature, for neat and well-paved streets, for attractive public grounds, for a clear, dry and exhilarating atmosphere, upon which one seems almost to float, one can hardly hope to often find a city surpassing the capital of Portugal. Beautiful is she to view, as we float on the Tagus to the sea. The vision enraptured the soul of Byron as he sung:

What beauties doth Lisboa first unfold,
Her image floating on that noble tide.

As her lofty towers grow dim in the distance, you are greeted by the famed Cintra with its remains of the Moorish ascendancy. This passed, and we are again on the broad ocean. Sixty hours brings us to

“ Fair Cadiz rising o'er the dark-blue sea.”

There is but little to say of this ancient city in Europe, except that it is one of the prettiest and neatest towns in the world. Its bay is exceedingly beautiful, and Cadiz, with its lines of uniform white buildings, with the universal balcony and green blind, is at once unique and pleasing. It has seventy thousand inhabitants, with narrow but well-paved and cleanly streets, and is a walled and strongly-fortified city. The only building specially worthy of notice is the new cathedral, built entirely of marble. I have seen nothing where the interior architecture pleased me more. Its lofty arches, sustained by groups of Corinthian pillars, and the absence of that meretricious adorning found in the older churches, give it a grand and imposing effect.

Its Casino, or Club House, is sumptuous in its material comforts. Spain loves pleasure, and all its considerable towns have their Casino, which combines library, reading-room, restaurant, gambling-tables, drinking-saloon, indeed, every conceivable indulgence which a sensuous people can crave. I would say that Pleasure is the presiding divinity of this country. The climate is soft and invites to out-door amusements. Hence the public parks and grounds are the every-day resorts of all classes and conditions. Hence, too, the mirthfulness of the common people, who in these holiday times may be seen at almost every town in the country, dancing in groups on the green to the music of the tamborine and guitar. The common wines are cheap, and everybody indulges in what cheers if it does not inebriate. They have the excitable temperament of the Southern races, and bull-fights, circuses, theatres, and pageants sacred as well as profane, are the staple amusements. The soil is fertile and there is little to stimulate the energy of the masses. Therefore Spain is what she is in her decadence, dwelling amid

monuments of a past that was glorious, of a power long since departed. Think of Spain under Charles V., dictating the policy of all Europe, the central energy of the Western Nations, and think of her as she is now, so contemptible as a power, that the President of the United States can say with impunity that it is very inconvenient to us for her to hold Cuba as a colony, and that she had better relax her grasp before she feels the force of the American Eagle who is now whetting his talons to take the Sugar Island as a morning lunch.

Yet Spain has contact enough with the superior nations to feel a spur in the sides of her intent. I saw the evidence of this at the Arsenal, about five miles out of Cadiz. I found it alive with preparations to resist, if not to attack. A half-mile of new and old buildings, all filling up with the best machinery for naval and military work, and that all from Manchester, England. Not only so, but I found fifteen Englishmen, acting as the foremen in the different shops. How easy to tell which was the master-mind among that mass of humanity! It was not the man lighting or smoking his paper-cigar with stupid aspect. It is that florid man, with sandy whiskers and rotund person, with a steam-engine energy in his face, giving movement and purpose to the whole mass around him, and reducing Spanish chaos, so far as is possible, to English order. I found also two Massachusetts men, who had finished the railroads of their own State, and were now building ships of war for Spain. With the Anglo-Saxon race to teach her how to think and how to act, to vitalize and energize this stagnant material, Spain, possibly, may yet be able to say and maintain that it is very convenient for her to hold Cuba. She may do more—assume a place among the nations as a progressive and liberal people.

But many, very many long strides has she to take before she occupies this position. First, she must grant complete toleration to the Protestant religion, and thus invite emigration to come and open up her rich mineral mountains and highways for social communication and for commerce. She must educate her people, and create what she most needs as a political and a moral force, a great middle class which the State cannot ignore, and will be bound to respect. She must have a stable government, to give confidence to trade and capital. She must rid herself of her enormous standing-army, which forces all her young men away from trades and other useful occupations, into the military or naval service, until they are fit for nothing else. She must have an able head as king, who is neck and neck with the times—a man who will devote his energies to the best development of the resources of the country. Then Spain will be, certainly compared with her present condition, a great power.

But to such a revolution, which can emanate only from great moral and mental forces, I believe the Spaniards of this age utterly inadequate. Missouri is not richer in mineral resources than Spain, and no country on earth combines more advantages of climate; yet the nation seems utterly unable to avail itself of its privileges. *The race is effete.* It needs the infusion of a more vigorous blood; it needs re-creating; the current has flown along the veins of the present race until it seems almost stagnant. The Spaniard, rich or poor, is the very personification of indolence. Filibusterism, of the right sort, could do much for the Spanish nation; and without this, their progress, I apprehend, will be very slow, if not imperceptible.

The winter climate of southern Spain is delightful. I spent the holiday season between Cadiz and Seville, and every day was soft and balmy. To compare it with a season at home, I would say it is like our early September weather. It is a much finer climate than Italy; so says every American I have seen who has tested both. Indeed, I saw Italians at Seville who came there to spend the winter for the sake of the climate.

The women of Spain are said to be beautiful. They have fine figures, dress with elegance, and have the "dark eye" of the South, but their faces rarely indicate culture, or that strength and force of character which are entirely compatible with feminine grace and beauty. I know Byron sang and wrote rapturously of the women of Spain; but it is to be remembered that he had just left England hating everybody—the sex in particular. He met admiration and kindness; he found temperaments akin to his own, and the enthusiasm of his genius wanting some vent, found it in his poetic gallantry to the fair women of Cadiz. An old Spanish woman of the poorer classes is a frightful creature. Hundreds of them may be seen any day sitting at the church doors and in the streets, begging. Such ugliness in old age is a dreadful curse.

There is one noticeable and really graceful feature of the dress of Spanish ladies. Bonnets are utterly repudiated, both the huge canopy which was wont with us to cover the whole head, projecting far forward, defying your scrutiny of the fair features underneath, and the apology for a bonnet which of late years sits perched so jauntily just above the shoulders, without the slightest pretension to be more than a graceful (?) appendage of silk and satin. The head-dress of the Spanish lady is a black silk scarf or a veil adjusted to the back of the

head, then brought in front, and falling as graceful drapery over the shoulders. The style is universal.

You will think I have said little of Cadiz. For the very best of reasons, there is but little to say. I will mention her water view which is one of the finest in the world. Cadiz is on an island and the sea makes up into a sort of bay, forming its harbor on the one side, and on the other stretches off into immensity. For days in succession I saw the sun go down into his ocean-bed, amid a pomp of unsurpassed glory and splendor. But here I wish to say, that for fine sunsets and for water-scenery, combining the sublime and beautiful, a Buffalo-nian need never leave his own city. We have neither a sunrise from nor a sunset in the ocean, but we have everything else. I have seen nothing abroad that can be compared with the combination view of sea and river which is commanded from Prospect Hill. I believe the earth does not afford a view surpassing in grandeur and beauty, that which a summer-drive down to the Rock on Sixth and Niagara streets will command. The lake is not quite so extensive as some sea views, but to atone for this, you have the matchless Niagara, moving with majesty,

“Strong without rage, without o'erflowing full.”

The combination of lake and river, the Canadian shore, where

“Sweet fields beyond the swelling flood
Stand dressed in living green—”

the city whose towers greet you from the distance, the artificial river at your feet, which floats on its bosom the commerce of a dozen States, the railroad, a type of the energy of your nationality, altogether, I believe this view, in every element of grandeur and beauty, is unsurpassed. It as much transcends any scenery I have yet

found abroad, as the Hudson with its palace-crowned Highlands surpasses the boasted Rhine with its rat-trap castles which have fooled the generations before, and very likely will fool generations to come. But I don't mean to rail, and lest I may, will say that I remain, etc.

NUMBER IV.

SEVILLE, *January 4, 1859.*

"If you haven't seen Seville, you haven't seen Spain," is here a proverb, so I found myself on the little steam-boat which plies on the Guadalquivir, which in eight hours landed me from Cadiz, in this famous city. Some romance has been thrown around this river by rhyme-makers, but it is all in their jingle. It is a very stupid stream, serpentine in course, through a country, for most part of the way, utterly without interest. On the monotonous banks, herds of poor cattle, horses and sheep, are to be seen picking up an indifferent living, but the passage is unattractive. As you near Seville, there is some improvement; a few olive and orchard groves. But you welcome the sight of the town, and are still happier when landed at the London Hotel. If I were to attempt to speak of Seville in detail, I should be at a loss to know where to begin. To see it, was more than I could do in a week, and to describe what I saw, in its Moorish architecture, in its pictures, in its historic associations, transcends my powers. I shall not make the attempt.

Of course, there is little that is modern in Seville of any interest. It is the Seville of Julius Cæsar, who made it his "little Rome;" the Seville of the Moors, witnessed

in their architecture ; the Seville of Murillo, the founder of a school of art which is one of the glories of Spain ; it is the Seville of the Inquisition that excites our curiosity. Go where we will, we are among the monuments of struggling races and religions. It is the sepulchral voice of antiquity that greets our ear, and we abandon ourselves to its guidance and teachings.

The Moors made Seville one of the grand centers of their dominion in the Peninsula, until wrested from them in 1248 by Ferdinand III. The Sevilians remember affectionately their deliverer. He was embalmed at his death, and he lies entombed in a silver coffin in the royal chapel of the cathedral. His body is exposed once every year to the worshipful gaze of the people. Surmounting an arch in the same chapel, is a full-size equestrian statue of Ferdinand, with the figure of a Moor in the act of surrendering the keys of the city to the conqueror. Altogether, it is quite imposing.

The cathedral is of course the central attraction of Seville, being by far the largest in Spain, and one of the most celebrated in the world. Its site has been dedicated to the national worship for thousands of years. Each successive conqueror seemed to find a delight in intensifying his victory by inaugurating the rites of his own religion upon the conquered altars of his enemies. On this spot was the temple of Isis, also of Venus. Here was a famous mosque of the Moors, and retaining the magnificent tower erected by the followers of the prophet, the Catholics here built this gigantic cathedral. It is 431 feet in length, by 315 in width. It has seven vast aisles, separated by pillars, sustaining the Gothic arch, which in the center nave attains an elevation of 145 feet. I would as soon undertake to describe the milky way, as its multitude of altars, its myriad images and figures in bronze

and wood and marble, its pictures, valuable and indifferent. The view itself is bewildering, and to me not as pleasing as I suppose it ought to have been. Here are the tombs of the archbishops of Seville for four centuries. Many of them lie in marble state, the "counterfeit presentment" of the once living spiritual authority. In the center is the tomb of a son of Christopher Columbus, inscribed with fit emblems of discovery. One altar to the Virgin attracts attention from the multitude of offerings it has accumulated. They are made to the Virgin for her deliverance of the donors from diseases. Seville has always been distinguished for its worship of the Mother of Christ. It has for centuries maintained her Immaculate conception. Their sacred salutations once began with an "*Ave Maria*," and this is still a part of the cry of the watchman in his nightly patrols.

There are a half-dozen Murillos in the cathedral, but with this exception the paintings are indifferent.

The Murillo Gallery in the museum is the chief attraction in the realm of art in Seville. Here are twenty-two, saved from the hand of the French spoiler. All of them are religious pictures, mostly representative of the Virgin in some form. They all evidence the artist's faith in the sinless character of Mary. Nothing can exceed the divine purity, the absence of all that is allied to the sensuous or earthly, in all his representations of her. Not to dwell upon them in detail, I will remark that I was particularly interested in his "*Annunciation*," as it is the original of a beautiful engraving sometimes seen with us.

One of the chief attractions of Seville is the Alcazar. It was built by the Moors, seven hundred years ago, and although it has in its day been put to many vile uses, has recently been restored to its original glory. Its

walls are of variegated tile, of most highly polished and brilliant surface, and its ceilings are of most elaborate finish, the whole bedazzled with the richest ornamenting of gold and silver. Its "Court of the Virgins," is the square where the king of the Moors was accustomed to receive the annual gift of a hundred of the fair beauties of Seville. Its garden was laid out by Charles V., and consists of a series of plateaus, and is very curious.

The "House of Pilate," belonging to one of the Spanish nobility, is another curiosity. It is said to be an exact imitation of the house bearing that title in Jerusalem. Its court, inclosed by marble pillars, its busts of the Roman emperors, its tessellated pavements, its thoroughly Moorish architecture, give it a very antique appearance.

Many of the private residences in Seville appear to be abodes of great luxury. They are built on narrow, and invariably dirty streets, but their patios or courts, with their marble pavements and pillars, surrounded by statuary, and the classic fountain (for they are frequently surrounded by groups of mythological statuary), and generally plants and orange trees, impress you with the conviction that there are both taste and luxury.

This is the residence of the Duke de Montpensier, the eldest son of Louis Phillippe, and son-in-law of the late King of Spain. His palace is built near the banks of the Guadalquivir, the public gardens alone intervening. Here is to be found another of the out-door luxuries of Spain, the Alameda, or public promenade. Here it is on the bank of the river, at least two miles in length from which several paths diverge into the municipal forests and orange groves. On Sunday all Seville is here. I saw the Duke, the Infanta, and the Count de Paris, frequently on this walk. The Count, but for Louis

Napoleon, the heir to the throne of France, is quite a beardless youth, of very modest mien, and indicating in his countenance some of the qualities of a ruler. Probably he will never be put to the test.

One is often reminded in Seville of the bloody reign of Philip II. It was often illuminated by the fires of the inquisition. Among the relics belonging to the cathedral is a cross which used to stand in the streets in those days of terror. In your way to the gypsy neighborhood you will pass through a gate surmounted by an arch, sustaining a monumental pile erected in honor of that meanest and most bigoted of all the tyrants that ever wore a crown, Philip II. As I passed under it, and read the Latin inscription to the *potentissimo et excellencissimo rege*, I felt grateful that I lived in a country where it was both a privilege and an instinct to execrate a name which Spaniards are taught to honor.

On the opposite side of the river is the town of the gypsies. It is a filthy place, and your compensation for wading through it must be in your view of the dark-eyed, black-haired, and bronzed-featured descendants of the old gypsies of Spain.

Seville has but one modern feature, a square, and the buildings erected on either side of it, being the ground once occupied by a convent, confiscated by the revolution in 1837. Their old convents are now all put to some public use. The winter climate of Seville is delightful, the roads from it execrable, and after having spent a week in it, it is one of the best towns to go from I know. So we will take up our line of march.

Here at Seville, I met President Buchanan's letter to the Fort Duquesne celebration. No State paper from our ministers has for years attracted so much attention abroad. It is the Hercules club with which the London

Times daily annihilates John Bright and reform. It is ridiculously amusing to hear the comments, even of intelligent Europeans, upon the letter. They profess to regard it as a sort of official giving up the republican ship. I have ventured to suggest, that had the recent elections sustained the administration, and had Senator Douglas been defeated in Illinois, that letter would have been as hopeful and buoyant as it was cheerless and despondent. The impression among all Americans I have met is, that however pertinent might have been the inquiry of Mr. Buchanan, and however true his declaration as to venal legislatures, it ought not to have been uttered by the executive. Made by a private citizen, it would have attracted no attention, but coming from the head of the government, it is supposed to be very significant.

Any American, of any party, who will travel a few weeks in Europe, however much of a grumbler at bad government he may be at home, I fancy will come to the conclusion that there is more of affirmative good and less of positive evil under his own government than exist under any other upon the footstool. The evils which now press upon us contrasted with those which afflict other peoples, especially the great interests of labor, are as dust in the balance. I confess to have grown hopeful of the future. We shall have some bad government, some venal legislators, some oppressive taxation, but for generations to come, we shall have the highest intelligence, the best rewarded labor, the most diffused property, of any nation upon the face of the earth.

NUMBER V.

MALAGA, January 17, 1859.

Malaga is another old Spanish city, whose interest is mostly connected with the past. It lies beautifully on the Mediterranean, is hemmed in by a range of high hills, except on the sea-side, and has a most delicious winter climate. There is something in the commingling of the air of the sea with that which comes down from the mountains of Granada, that forms one of the most buoyant and exhilarating atmospheres I ever breathed. For hours I can stroll over these hills, and wander on the shore of the sea, with scarce any feeling of fatigue. It is a favorite resort of English invalids, and is fully entitled to all its reputation as a winter residence. Its Alameda is in the center of the city, the promenade being about seventy-five feet in width by twelve hundred in length, adorned with shade trees and marble statues. A fine fountain plays at one end of it. Additional to this is a fine drive on the beach of about three miles. These constitute the public attractions.

It has a large commerce in fruits and wines. The Malaga raisins go to all portions of the commercial world. They are manufactured from the grape which grows upon the hills—the vine district extending from the sea about twenty miles into the interior. The city swarms with beggars, and is generally filthy in its streets, while its public buildings are unattractive.

THE PROTESTANT CEMETERY.

There is a feature in Malaga to which I would call attention, not only because in itself pleasing, but as introductory to a word of comment upon the neglect of

our government to provide the means of decent sepulture for its citizens dying in Catholic countries. The feature to which I allude is the English Protestant Cemetery. With the exception of one at Cadiz, and one just obtained from the reluctant authorities at Madrid, it is the only place where a "*heretic*" can receive decent burial in Spain. It was founded by the persevering exertions of the late Mr. Mark, long the English consul at Malaga, who never gave over his importunities until "his Catholic Majesty," the King of Spain, in 1830, gave his assent to the grant of land for this object. Prior to that time, Protestants dying at Malaga, English or American, sailors or men of the highest social consideration, were buried by night, between high and low-water tide, on the sea beach. They had about the same rites and offices as are given to dogs and beasts of prey. Nothing more was permitted by the bigoted intolerance of the Spanish government. The English government aided the liberality of its own citizens resident in Malaga, to purchase the plot of ground constituting the cemetery, and, not to speak derogatively of the religion of this country, for such is not my purpose, I will say, that this consecrated spot is, to one of our faith, the fairest oasis upon which the eye can rest on the whole Peninsula. It touches chords in the Protestant heart, which all the other creations of Art or Nature fail to reach. Here, in this land of intolerance, where your worship is denied you, except in a covert way and under the roof and flag of the English consulate, where until recently the deceased of your faith was given to the sea, without any of the ceremonials of religion, or the delicate offices of love, is an honored place of sepulture for the English Protestant; surpassingly beautiful in its position and decorations.

Its location is beyond a bluff which rises a few yards from the shore of the Mediterranean, and having a gentle acclivity, from every point overlooks the sea, which, when I visited it, seemed to whisper its dirge of gentle sympathy. Its walks are kept scrupulously neat, bordered with the evergreen cypress, while the cemetery seems at this season embosomed in a sea of flowering geraniums. It is such a spot as one would select for the last repose of his loved dead. Here the sea ever sings its requiem, and a perpetual spring weaves its garland of never-failing flowers.

This is the place where the last offices of the living are paid to the English Protestant dying in Malaga. And this, not alone for the rich and the noble, but the English sailor has allotted to him a portion of the grounds.

I felt grateful that English enterprise had afforded to my countrymen so hallowed and sweet a repose, rescuing them, as it had done, from the fate of beasts, that dreadful burial on the sands of the sea by the darkness of midnight. I could not repress a stronger feeling than of mere regret, that the American government has steadily refused all appropriations and all aid towards securing plots of ground in any of these Catholic ports where is a large American trade, for the burial of its deceased citizens. During the vintage season, there are often thirty of our vessels and three hundred of our seamen in this port alone, at the same time, and never a season passing without more or less mortality. I learned through our consul at Cadiz that during the three years of his official service there, he had buried on the sea beach no less than thirteen American citizens, whom disease or shipwreck had thrown dead upon his hands at that port. The proprietors of the English cemetery here at Malaga have proposed, in response to the overture of

our excellent consul, Mr. Smith, that for one thousand dollars the perpetual right of burial of American citizens dying at Malaga, should be granted, while at Cadiz, for three hundred dollars, a plot of ground, ample for all our burial purposes for all time, could be secured. The government has been advised of all these facts, and yet refuses to entertain any proposition on the subject.

Look at the inconsistency. An American seaman disabled by any providence is found in one of these ports, indeed, in any port of the world, and the home government through its commercial agent feeds and clothes him, supplies all his living necessities, and sends him by the first opportunity to his home. So much the humanity of the government does for the living sailor. But if he chance to die in any of these Catholic ports, that humanity forgets the sailor is not a dog, and throws him to the jaws of the sea !

If an American traveler lands at one of these ports, and his rights as a man are outraged by the Spanish authorities, the whole navy of the United States, if necessary, would be found thundering at its gates, demanding apology and restoration. No expense would be deemed too great to protect the rights which pertain to the sacred character of American citizenship. But when he dies, that government forgets its paternal relations to the citizen, and allows him to be buried like a beast of prey to be "by dogs and hungry vultures torn." A hundredth part of the sum which is every year wasted in manifold ways would secure an American cemetery of ample accommodation in every port in the world where we have a considerable commerce, and where humanity demands it.

Let it be understood that now, since Spain has so far relaxed her intolerance as to permit of Protestant

sepulture in her Mediterranean ports, while the English government have justified their relations to the better sentiments of our nature, by securing to her citizens these hallowed resting-places for their dead, the American citizen, dying in Spain, has, except in Malaga, no burial-place save in the sands of the sea, and here, has no place where surviving love may attest its affections, except as it is afforded by English courtesy! Can any moderate language characterize this national policy?

I learn that this apology has been made by our authorities: That if appropriations are made for cemeteries at Malaga and Cadiz, it will be established as a precedent, and we should have to do the same in other Catholic ports, where the same necessity exists. Most paltry! Of course it would, and of course it ought to be a precedent. Wherever we have a large commerce, and deaths of American citizens are of annual occurrence, the government should secure, at a moderate cost, a decent place of burial. And wherever the bigotry of a foreign government now refuses Christian rites of sepulture to our dead, the government should make it a leading object of diplomatic negotiation, until the right is yielded. Indifference on this subject, which lies so closely to our humanities, is unworthy a Christian nation. I trust my country will by timely action erase this blot from her escutcheon.

NUMBER VI.

GRANADA, THE ALHAMBRA, *February 29, 1859.*

A visit to Granada and the Alhambra I postponed to the close of the winter, that I might be assured of soft weather at the base of the snow-capped Sierra Nevada.

As the trip from Malaga (about seventy miles distant) is made by *diligence*, and that mostly by night and over the mountains, I had anticipated anything but pleasure in the journey itself. In this I was most happily disappointed. Leaving Malaga at seven o'clock on the evening of the 18th instant, with two American fellow-travelers, the ride was one of entire comfort and great pleasure. The full moon rising in a cloudless sky about the time of our starting out, the ascent of the mountains was perfectly magnificent. The road is a good MacAdam, and the most serpentine in its windings up the ascent of three thousand feet that can be imagined. For the first fifteen miles not much more than half that distance is actually gained, so much of the track is doubled by its circuit around the mountains. Until nearly midnight we had repeated views of the city of Malaga and of the Mediterranean, while the wild and deep ravines and Alpine heights, near and remote, and the Sierra Nevada glistening like a mirror, added to a scene as wild and diversified as to me it was novel. At length, the table-land attained, I resigned myself to an old-fashioned post-coach sleep, until the broad daylight, which found us entering the Vega, or the valley of the Xenil.

This former paradise of the Moor from which he was driven by the ruthless hand of Ferdinand, although in the possession of the indolent Spaniard, retains much of its former glory. Its cultivation for at least two thousand years, with a soil and climate where production most delicious and luxuriant is the law, has neither exhausted its fertility, nor detracted from its original beauty. As when the home of the Roman, and afterward of the Moor, so it still is the land of the vine and the olive. Our road for miles was through vineyards from which are made the most delicate wines of Spain, and through

groves which yield abundantly some of the choicest fruits of the tropics.

The climate of Granada is an element not to be lost sight of in considering its natural beauty. We are to remember that all of its spring and some of its winter is as genial as the June of our North. My visit to this once-favorite home of the Moor has been during the last two weeks of February, and each day has been as delightful as ever issued from the gates of the morning. The early part and the evening have sometimes had a little of our autumnal coolness, but all the midday has been of summer warmth, without the least oppressiveness of heat. This is the season of the ripe pomegranate and melon, and of the orange never out of season, while the almond-trees, scattered all over the hill-sides, are now in full blossom. The atmosphere, less exciting than that on the coast of the Mediterranean, is a constantly felt delight. The pleasure of simple existence can nowhere be more exquisite. The early months of the winter have some cold rains and a little snow, but by the first of March the wet season is usually over. Winter never here bears a leafless sceptre, for there are no forests, and the olive groves which are scattered with prodigal hand all over the Vega are evergreens; so that, with the exception of the poplar and elm planted in the public grounds for shade and ornament, there are few trees that exhibit the ordinary symbols of winter. The Sierra Nevada crowned with perpetual snows is almost the sole representative of the severer aspects of the season. The clearness of the sky in Southern Spain is another element to be noted. In the three months I have spent in the southern portions of the peninsula, I have not seen more than a half-dozen cloudy days, while the moon and starlight have been ever clear and brilliant.

When we consider the affluence of Nature in this favored Province of Granada, and remember that the followers of the Prophet had surrounded themselves with every luxury which the art and genius of their age could supply, we shall not wonder at their bitter wailing over their expulsion from this their earthly paradise, and do we not almost forgive that terrible curse upon their invaders, a curse which has come down to us in legend and in song, with "*The last sigh of the Moor?*"

As I stood upon that elevation of ground about five miles from the city, where the heart-broken leader of the fugitives took his last view of the Alhambra, and of that beautiful valley and those luxurious homes where for seven hundred years his people had dwelt in security and happiness, I confess, if I did not echo in my heart his malediction, my sentiment was entirely one of sympathy for the vanquished. It is certain humanity gained nothing by the conquest and expulsion, and it would tax the ingenuity of a wise man to demonstrate that civilization has not been the loser. Most bloody instructions has the Spaniard taught the world, and if he had a thousand Cubas, and all were to be wrenched away by Saracen or Christian hand, he should recognize the ever-pursuing Nemesis avenging the wrongs of the Moor.

Few cities combine more of the romantic charm and the tragic interest of history than Granada. Conquered from the Visigoths by the Moors in about the eighth century, it was retained by them until the reign of Ferdinand and Isabella, when domestic and civil feuds in the Alhambra so weakened the Moorish power that Ferdinand was able, after ten years of strategy and siege and battle, to effect the final conquest of the province. This city was the last to surrender to the inexorable invader. All the other strongholds had been subdued, and their wretched

inhabitants driven into exile or sold into slavery. Granada, after a hopeless resistance, was, on the fifth of January, 1492, surrendered by Boabdil "the Unfortunate" to the Spanish conqueror.

On that day was made the royal entrance into the palace of the Moorish kings, an event which is represented in almost every public work of art, sacred or secular, which the Spaniard has created in Granada.

But the sad tale of that conquest, is it not told by our own Irving in a style that combines the charm of fiction with the fidelity of history?

I have spoken generally of the valley in which this city is situated, but of the city itself—the Moorish-Spanish Granada—it remains to speak. It was doubtless in the time of the Moors a beautiful city. They had the taste to adorn it, and the enterprise to preserve its decorations. On every side the evidence of this meets your eye. But the Spaniard, possessing himself of the comfortable seats he found made to his hands, with the exception of a very few religious edifices, and those erected two and three centuries ago when Spain was in her palmy state, has added nothing new to Granada, and has permitted a shameful decadence in all its artistic beauty. Viewed from any of the eminences in and about the city, it looks as if at the touch of a finger it would topple into ruin. Its edifices for the most part have a time-bronzed and "rookery" look, which is really repulsive. Then it is a very dirty city, and in this all the cities of Spain I have seen, Cadiz alone excepted, are their own sole parallels. But this is chargeable to the modern Spaniard, not to the cavalier of the time of Ferdinand or Charles. That is of Spanish creation, Granada has but little of architectural interest, but that little reveals what Spain has been. When she was a power on the earth, when she was

enriched to overflowing by her discoveries and conquests in the New World, the Church was the great receptacle and exponent of her taste and her wealth, and she made enormous contributions of her newly-acquired treasures to her religious architecture. That, too, was the palmy period of her literature and her art, as well as of her material strength. When Spain had unbounded wealth to lavish upon her churches and convents, she had a Murillo to adorn them.

The cathedral of Granada is one of the monuments of that past. Not strictly scientific in its style, its grand old arches, clustered pillars and splendid adornments, all in severe taste, and upon a scale colossal, produce an effect which belongs only to the sublime in architecture. At the period in the history of Spain of which I have been speaking, her art, like that of Athens at the time of Paul's memorable visit, was intensely religious. Scarce a picture or a work in marble is to be seen in any of her galleries, which are not in their actual or ideal of a scriptural character according to Catholic interpretation. Therefore it is that the Spanish churches are galleries of pictures of more or less merit, generally the latter, her better pictures being for the most part in the public and private collections.

The most attractive historic feature in the cathedral is a colossal equestrian statue of Ferdinand, surmounting a lofty arch adjoining the entrance into his chapel. Of course a vanquished Moor is represented under the horse's heels, illustrating the conquest. But pass we on to the chapel of Ferdinand, a good-sized church of itself, with all the appurtenances, and connected with the cathedral. Here is the celebrated and certainly magnificent marble monumental tomb of Ferdinand and Isabella. First notice the open work in iron extending from floor to ceiling, which shuts

off the tomb from the main part of the chapel, with its elaborate figures. Here sectarian pride has not forgotten to symbolize an incident of the conquest—the conversion of certain leading Moors from the Moslem faith to that of the conqueror, by a representation of the act of their baptism. The arguments were unanswerable. Their nation was crushed out. Exile or slavery to persons, and confiscation to property were presented on the one hand to all persistent heretics, and on the other, to those Moorish princes who could see the beauty of the Catholic faith and embrace it, continued power under a splendid vassalage to Ferdinand, with at least some symbols of royalty to impart a grace to their downfall. There were some, however, who had nobility of nature enough not to comprehend the argument, preferring exile in Africa with freedom, to the pomp of a debasing servility.

The royal tomb is a large and elaborate work in alabaster, covered with figures, among which are the Apostles and certain ecclesiastical dignities.

But, stately and imposing as is this pile of marble, its interest fades into insignificance when contrasted with that which is associated with the homely, iron-bound coffins, which, in the vault beneath, contain the mortal remains of Ferdinand and the hardly less illustrious Isabella. Here you are exhibited the sword borne by Ferdinand through the wars of the conquest, and the crown of his queen which she wore on the day of her entrance into Alhambra. You are none the wiser for wielding the one and crowning yourself with the other.

They who live in European countries, and are always amid the monuments of the olden time, probably find less of interest in such relics of the power and grandeur of the past. But an American, who stands by the ashes of the patrons of Columbus who discovered his country in the

very year of the conquest, will contrast the almost fabulous advance in population and achievement of a land which that Spanish reign saw for the first time opened to the world, with the decline of a country, the first seeds of which were sown in the very hour of that discovery, and in the very act which all this magnificence is intended to honor. I know no spot more suggestive.

This cathedral, of more than two centuries standing, place to the credit side of the art account of Spain.

There is a church about three centuries old, finished in fresco from floor to dome. It is exceedingly brilliant, and by far the finest in that style of art I have seen. There, too, is a tribute to Ferdinand. A large alcove is occupied with representations of his triumphal entrance into the Alhambra, while the discomfited Moors are in the act of departure. Decay has laid its hands on many of the decorations of this church, but that is a sacred minister in Granada—no effort is made to stay its advances.

The Cartujah Convent, formerly occupied by an order of monks, but now no more than a rich cabinet, is by far the most elegant of all the old Spanish edifices in Granada. Its construction is after no particular order, and would fail to please the purely scientific architect, but it is a most elaborate work of taste and beauty. Its exterior is unattractive, its grounds a heap of rubbish. The entrance is into a gallery of pictures by one of the monks of the convent, who combined a love of art with his asceticism. He was quite original in his choice of subjects, for out of a score or two of large pictures, with one or two exceptions, all represent poor monks, hanging, or boiling or roasting, or in some kindred predicament equally disagreeable. The very courteous priest who showed me the convent, said they were Cartusian monks who suffered martyrdom under Henry VIII. in England.

As of that royal Bluebeard it is said that "those who were Protestants he burned and those who were Papists he hanged," very likely these pictures represent the truth of history. One of the noted exceptions to this class of subjects represents an interesting fact, for so the story goes, connected with St. Bruno, the patron saint of this convent. The pictures represent his brother monks bearing him to his tomb, while Bruno sits upright in his coffin, pallid as death, and with most frightened aspect. Great is the consternation depicted on the countenances of his brother monks, that he should thus revisit the glimpses of the day whom they hoped quietly to inurn. The legend is that, after thus thrice appearing to their "fear-entrenched eyes," he laid him down as became a saint, and has slept quietly ever since.

I looked to see if there were any pictures of the *auto da fes* of the Inquisition, at which eighteen thousand Protestants went in chariots of fire to heaven, or of the infernal enginery of that tribunal, but saw none! Probably the good monk found in the Cartusian martyrs as many subjects as he had time to illustrate.

The three rooms of the convent devoted to public worship were beautiful as marble and art can make them. The "Sacrista" surpasses anything I ever saw in artistic grace. The very entrance doors, and the immense old wardrobes which were to contain the vestment of the monks, are all inlaid with tortoise shell, pearl, ivory and silver. Every separate work is a gem. The whole is a thing of wondrous beauty. In this room is the finest marble for architectural effect, I have ever seen. Its variegation gives it the appearance of a winter landscape. All the marble in the convent, and there are many varieties, is from the Sierra Nevada. If that mine of beauty were anywhere but in Spain! Granada ought to

be a very Athens in its architecture and sculpture. Yet for two centuries she has created hardly a single work of art, good, bad, or indifferent.

Granada was made by the Moors a city of shaded public grounds, of fountains and gardens. You can hardly go amiss for some of their places of recreation, cosy nooks, by-paths by the mountain-side, "lovers' lanes" and rural shades. To instance but one: The main Alameda is nearly a half mile in length, a portion of it with triple broad avenues, shaded with trees resembling the finest elms of the New England villages, and these connected by lateral walks with the river Xenil, both of whose banks have broad and shaded paths. Gardens intervene between these avenues and the river. Numerous Moorish fountains are in different parts of this Alameda and its appurtenant grounds. Like everything else, these plazas have been left to take care of themselves, but they are beautiful even in their neglect.

THE ALHAMBRA.

The Alhambra is of course the central attraction at Granada. The witchery of Irving's pen has invested it with that sort of charm which belongs to the ideal. The "*Tales of the Alhambra*" have made this real palace almost as superior to brick and mortar, and art, as were the most brilliant creations of Aladdin's lamp. I will endeavor to deal gently with it, and not reduce it to a mere thing of feet and inches. It shall still remain, half-defined, dim and shadowy, mere cloud-land, the home of the beautiful princesses, in short, the Alhambra. Yet you must indulge me in a little detail of some of its externals, for it has an actual local habitation as well as a name.

This ancient palace of the Moorish kings crowns one of that series of hills which rise back of the city and about four hundred feet above it. The hill is about half a mile in length from the extremes, and about eight hundred feet in width at the widest point—is inclosed by a wall an average of thirty feet in height, and eight feet in thickness, having fourteen towers of different size and elevation. The approach to the Alhambra grounds through its thickly-planted grove outside the walls, is as charming as fountains, and rivulets, and broad, tasteful avenues lined with forest trees, which, "high overarched," embower them in constant shade, can make it. Three or four of these avenues lead to different entrances into the Alhambra grounds. Entered within the grounds, the palace of Charles V. first meets your view. It is an immense edifice, but was never completed beyond the erection of the walls. These bear numerous marble and bronze devices, emblazoning the deeds of its royal master, themselves a perpetual monument of that wisdom or that folly, as we please to view it, which abandoned a throne for a cloister. His son and successor was too busy in burning his heretical subjects to complete what his father began.

Near the palace is the church, also erected by Charles. The grounds within the walls have, for the most part, nothing attractive. With the exception of one or two small gardens, they are without shrubbery or walks, having, like the Alhambra itself, until very recently been left to run to waste. There is a promise that they shall be redeemed from this shameful neglect, but I apprehend it will be made to the ear and broken to the hope. The palace, which has for centuries been suffered to go into dilapidation, is undergoing repairs. Spain has fairly been

shamed into a preservation of this beautiful relic of the Moorish past.

Passing around the overshadowing pile erected by the emperor, we enter the Alhambra, being first introduced into "the entrance to the Court of Lions." This *Entrada* is a large, square, open court, with porticos, supported by plain marble pillars on either side, having an artificial lake in the center, surrounded by shrubbery. On the north side we enter "the Hall of the Ambassadors." This, externally, appears as a tower rising above the walls. On the easterly side of the "*Entrada*" we enter the "Court of Lions." This is another open court, with colonnades upheld by one hundred and twenty-four marble pillars, having in the center a large Moorish fountain, sustained by twelve lions of stone. This is the center of attraction. Nothing can be more fairy-like and graceful. Here is commanded the most complete view of the beautiful art of the palace. On the one side is the hall of the Abencerrages, the place of the massacre of certain illustrious leaders of that line. On the other the Hall of the Two Sisters; while opposite the entrance is "the Court of Justice." All these apartments are finished in the highest style of Moorish art. Nothing can be more beautiful than the stalactite ceiling, the arabesque, and richly-colored walls. Arches and alcoves of most elaborate finish, and of most scientific precision, everywhere meet your view. Much of the rich coloring given them six centuries ago remains. This is especially true of the honey-comb and stalactite ceilings. These were the more public apartments.

In the interior are the mosque, the bed-chambers, the luxurious baths, and the abodes of those pleasure-loving kings. The balconies command the view of their gardens within the Alhambra walls, and of all the magnificence of

nature of which she has been so prodigal at Granada. One of those balconies you are told by the guide, was the favorite resort of Washington Irving, and he would make you believe that in that very spot he wrote the tale of "The Three Beautiful Princesses." Certainly there he might find inspiration, if anywhere. I had a contraband view (for nothing but a silver key, with a golden lining, will afford this forbidden-hour view) of the "Court of Lions" by moonlight. The moon was at her full, and bathed the Alhambra in her flood of silver-light.

The stillness of the hour, the wilderness of marble columns duplicated in their shadows, stray lines of light stealing into the ever open windows of the surrounding halls, imparting an indistinct but softened and delicate view of their strange beauty, and the genius of the place whose magic you both feel and confess, all conspired to invest this scene with an interest which belongs only to the hour and the Alhambra. So, when you visit Granada, you will take your curious and critic view of this palace by day, but remember, that to enjoy it "aright," you must see it as you would Melrose,

"—by pale moonlight."

From the balconies and windows on the northerly side of the palace, you see the Generalife, a summer retreat of the Moorish kings. It has a still higher elevation, being about six hundred to eight hundred feet above the city. A ravine intervenes between it and the Alhambra. It is the very embodiment of luxury. Its elevation commands a view of all that is picturesque in and about Granada—the Vega, the snow-crowned Sierra Nevada, the river Xenil, the palace walls and towers. Its approach is through an avenue of stately evergreens, which conduct you to the first garden, which is surrounded by artificial

trenches of water, and scattered among its shrubbery are more than half a hundred jets, which in the summer are constantly playing.

The porticos and dwelling on the same plane with this garden, are finished in the same general style, though less elaborate, as the Alhambra. From this garden you ascend by stairway about twenty feet to another similar one, and from this, by still another stairway overarched with evergreens, its balustrades being stone conductors of ever-flowing water, you land at the tower, with its balconies and shades and seats of repose.

This constant and unlimited supply of water to both the Generalife and the Alhambra is from the river Darro, and is conducted by an aqueduct channeled into the side of the mountain, which rises still back of the Generalife.

A piece of Vandalism was perpetrated by Charles V. in the erection of his palace. He tore down the winter palace of the Moorish kings, and built his own upon the site. Perhaps he repented of this in his convent leisure. But this letter is already too long. It must find its apology in the interesting associations at which it has only glanced.

A visit to Granada will satisfy the most skeptical mind, that the Moors had a high civilization for their age, a great love of the beautiful, and were accomplished in some of the more graceful arts, and that had they not been crushed out by the ruthless policy of Ferdinand, but been annexed to, and commingled with, his own people, they had formed the basis of a noble race.

NUMBER VII.

CADIZ, March 11, 1859.

The British Lion, when it took Gibraltar to itself and threw Tarifa to Spain, admirably imitated that royal beast of *Æsop*, who made a like division of spoils among the contestant beasts, taking the chief share to himself. Standing as it does at the straits, and commanding their entrance, it is an important adjunct to the power of England. It is doubtful whether she would long retain her India possessions if she had not the control of this gateway to the East. Long may she hold it against all her foes, and long may she continue to govern an empire whose masses have no capacity for self-government, and who have no government by their chiefs fit to be called legitimate authority. Probably the greatest piece of filibustering perpetrated in the modern ages, was England's conquest of the Indies, and although Clive and Hastings left bloody records behind them, and although the conqueror has fallen far short of her high duty to India, it cannot be questioned that the world is the better and the happier for that forcible possession by the descendants of the great Norman filibuster who laid in race the foundations of the best civilization the world ever knew. This general proposition, I maintain, is "firm as the Rock of Gibraltar," and this brings me to show how well fortified it is, for many a man has rounded his rhetoric with this flourish, without the slightest idea of the strength he claimed for his position.

Imagine, then, a rock about three miles in length and a mile in width at the widest point, and seventeen hundred feet in height at its highest elevation, towering up between

the Spanish and African coasts, apparently for no other purpose than to give to some power the control of this passage which gives the West communication with the East. Then imagine it almost precipitous on the side toward the Mediterranean, towering, at the lowest point, at least a thousand feet above the sea, against which the combined navies of the world would be as impotent as are the waves which break at its base. Then picture to yourself the side which forms the harbor—this being a little lake which makes around the western side of the rock, interposing between it and the Spanish coast—from a point fifty feet above the water's edge, fortified by all the defenses which masonry and engineering can devise, and these fortifications mounted by guns at least every ten yards, and repeated batteries along the side of the rock for at least half its height; then superadd to these, immense galleries excavated for more than a mile into the rock itself, through which an army of mounted cavalry can ride, out of which open frequent port-holes, at each of which is mounted a twenty-four pounder, these galleries leading to immense magazines (the latter hot exhibited to the public); then fancy a force of nearly four thousand troops for general defense, having in charge these eight hundred mounted guns, and the garrison provisioned for a four or five years' siege, and you will have some idea of the strength of this fortification, and conclude with me that, upon no principle yet known to the world in the science of gunnery, can Gibraltar ever be taken by force. As the terms of peace, Great Britain may be compelled by some treaty to yield it to Spain at the dictation of France, but by mere attack or siege, never. In one other way it may be lost to England. Connected by an isthmus of about a quarter of a mile in width with the Spanish mainland, it could be gained to Spain by treachery. The

seduction from their fidelity of a few sentinels might possibly give an invading army possession of Gibraltar.

The scenery about the rock is picturesque in the extreme. The town itself is a huddle of brown houses at the foot of the rock, and on its westerly side the homes of about twenty thousand people, representatives of, you would suppose, all the nations of the earth. The turbaned Moor is the most noticeable, whom, in the full costume of his nation, you meet everywhere. The Moor of the better class is observable for his handsome and manly features, his lofty bearing and stately carriage. There is majesty in all his movements. Ah, if he were still in Granada!

Gibraltar is strictly a garrison town and everything is under military rule. Those "martial airs," with which England "circles the earth daily," will greet you at morn, at noon and "dewy eve." Alternating with "God save the King" and "Rule Britannia," by a full brass band, you will hear the national airs of Scotland *groaned* out by her pipes, the favorite music of the hills and valleys of Scotia. Never fancy you have heard the "Scotch bagpipes," because you have listened to the blind piper at the street corner, whom you forgot to give a sixpence. (May you both be forgiven.)

A week's detention here by a prevailing "Levanter," when on my way to Malaga, makes my present tarry of twenty-four hours quite long enough, and I am happy to proceed on to Cadiz where I wait until the twelfth of March, when I take one of the monthly Spanish steamers for Havana. Homeward bound! "There's magic in it."

CADIZ.

I am more impressed than on my first visit with the outward beauty of this city. It is called the "Silver

Saucer" of Spain, and is regarded by some the most beautiful of the smaller cities of Europe. Certainly it is by far the most pleasing in its general appearance of any I have visited. It has no commercial activity, nothing intense in any of its aspects, neither is it magnificent, but is simply a thing of beauty, and the eye never wearies of its tasteful avenues and plazas, and that Alameda, interspersed with gardens and groves, which are now in bloom and verdure, extends a full mile along the sea-wall.

You ask what it is that makes Cadiz so beautiful. I do not know that I can tell you more minutely than I could why a fine sunset is so; it is the combined effect. I will try and give you a faint idea of a single street, and this describes them all. It is from twelve to fifteen feet in width, its center paved with square blocks, like the "Russ pavement;" about three feet on either side is flagged for a foot-walk. The buildings are generally of four stories, affording almost perpetual shade in the street, and are all of pure white. They have abundant and large windows, and over each window, to the fourth story, is a handsome and lightly-made iron balcony, above which is a projecting window; the balcony and the window-frame is painted a light green, rich hangings ornamenting the interior of these projections. While all the architecture is substantial, it is graceful. The entrance is always through a handsome court-yard where, in the best houses, are fountains and statuary. The business of the occupant is carried on in the lower story—his residence is in the upper. This will hold good of all classes, except of the very heaviest commercial character. You stand at one end of a street a half mile in length, so constructed, and experience the effect of that blending of the green and white colors, which is always agreeable to the eye, and all the architecture graceful and cheerful, and then pass on

to the street that runs at right angles and see the same blending and same effect, and so on, wherever you go, and in the better parts of the city no nuisances, nothing offensive, with groups of merry faces in the balconies, and, if it be a holiday, pass on to the public square, and from two o'clock in the afternoon to ten at night see from one hundred to a thousand ladies and gentlemen, all in "full dress," promenade, every face, whatever bitterness the heart may know, seeming happy, all appearing as if they lived in an age where protests were unknown, and the bankrupt's gazette unheard of; and then leave not out of the account—but this is Nature's—its magnificent sea view, its soft climate, and its glorious sunsets, and you have the basis of the beauty of Cadiz.

I happen here just in carnival time; of course all is gayety, for it is the Saturnalia of Catholic Europe. The whole city prepares for it as we do for our single national holiday. The shops are full of masqueraders, and brilliantly illuminated. The municipal head of the city has his address to the people placarded about the town, in which he bids them enter with all possible delight into their pleasures, masquerades, etc., but enjoins them "to do nothing not worthy their dignity and their liberty, and, above all, in their burlesques, to do nothing which shall offend the feelings of the clergy, who are entitled to reverence, and nothing which shall dishonor their religion; that any violator of this injunction will be punished to the extent of the law." Certainly very sensible, and, so far as I could see, universally obeyed.

The carnival opened on Sunday, the holiday of Catholic countries. Mass over, the last Latin prayer chanted, which the priest understands, the last Ave Maria uttered, and all Cadiz plunges into the festivities of the season. Troops of masqueraders, bands of Calliothumpian musi-

cians through the day for the amusement of the crowd, and, as the play-bills announce, brilliant pageants and masquerade balls at the theatres in the evening. For three days everything is in holiday apparel, and the public grounds are thronged with men, women and children.

This is a time of special license with the fair. The balconies are crowded with misses, just verging into womanhood, armed with a richly-ornamented paper basket which, with cord attached, they throw at the gentlemen passers in the street. It is about as much as a man's hat is worth to pass one of these feminine Sebastopols. But I confess it is not without its compensations, for they are launched by maidens who do not evade your scrutiny, and you would often feel inclined to say to the assailant, "take all my hat." If you happen to be hit by one of these mortal engines, you will not resolve yourself into an indignation meeting, even if the blow be less gentle than you would have it, for surely,

"He whom fair maiden doth most fairly hit,
Doth very foolishly, although he smart,
Not to seem senseless of the bob."

For three days and nights were poured out into the plazas all that is ugly, all that is fair, in Cadiz, and brought out to the sun and popular gaze not a few whom sober prose may call beautiful. The Spanish ladies generally have infinite grace of manner, and some elements of physical beauty they frequently possess, but their beauty lives fast and fades early.

That peerless of autocrats, "The Autocrat of the Breakfast-table," would find his franchise undisputed in Spain. I remember he says, and enforces it as a right which, like that of "life, liberty and the pursuit of hap-

piness," ought to be undisputed, that whoever meets in the streets with a feminine face that pleases, should be indulged, not only the first accidental glance, but a second, fair, appreciative and satisfactory view. Surely it should never have been necessary for this social law-giver to propound this new canon, but now that it is propounded, I suppose the right will take its place with the other "self-evident" truths of the declaration. May it never dwindle down to a mere "glittering generality." In Spain it is a conceded franchise, and reciprocity is the law.

The sobriety of the public festive life of the country was exemplified during those three days of carnival when the public grounds were thronged.

It was a gleeful promenade. Everybody was merry, but without rudeness. All was toned down to propriety and courtesy. This is fairly to be credited to the national manners. And here let me do Spain the justice to say, that it is a nation of high courtesy and civility; and, if it be true that "vice itself loses half its evil by losing all its grossness," then she is entitled to a large credit in the social account. With gentle and simple, all classes and conditions, civility is the rule.

All greet you with a polite *dios* (God be with you), or some other pass-word of courtesy. If the Spaniard be taking his lunch by the road-side, he will be very likely to invite you to share his *pan y vino* (bread and wine). A characteristic incident occurred on my overtaking, in the course of a long ride, a Spanish gentleman and his daughter, a Miss of about eight years, who had left their carriage with a servant by the road-side, and were enjoying their noon repast on a bank which overlooks one of the most beautiful valleys in Granada.

He saluted me as I approached, and sent his daughter with the *vino* as a pledge of way-side good fellowship. Of course I dismounted my horse, and whether that cup-bearer, fairer than Ganymede, thrice presented me the *basso de vino* which I did thrice refuse, and whether, in a language of nature as expressive as any speech, we all reciprocated our sentiments and compliments, and whether, after the manner of the cavaliers of the olden time, I at length took my *adios* of the fair Senorita, are high matters concerning which you have no right to know, and I am not disposed to communicate. If you visit the Spaniard at his home, and he likes you, he says, as you take your leave, “this house is yours.” His politeness always couches itself in extravagant phrase; but when he offers you his house, or his horses, or his hounds, which you admire, be very careful not to ask him when you shall call for the title deeds.

But of Cadiz and Spain, I must take my final leave, for “are we not here to-day and gone to-morrow?”

A P P E N D I X "A."*

THE history of the Church property question and of the policy of the Roman Catholic authorities in that connection, in the State of New York, since the passage of the Church Property Bill, is as follows:

As is set forth in the speech, the Roman Catholic Church of St. Louis of Buffalo, for its refusal to comply with the ordinance of the Baltimore council by surrendering its corporate franchises and transferring its property to the bishop of the diocese, was placed under interdict, its trustees excommunicated, and all holy ordinances withdrawn from it. This was its condition for about four years. A very short time after the passage of the bill the interdict and excommunication were withdrawn, a priest was appointed to perform the ordinary offices and services, and from that time to the present the Church of St. Louis has had no controversy with the bishop, and still retains its corporate existence, with seven trustees elected according to the law of 1813 relating to religious corporations. So far as I can learn there has been the same acquiescence on the part of the bishops in the State policy wherever the same controversy existed.

The legislative history of the State of New York since 1855 on the subject, is as follows:

In 1862 the Church Property Bill was repealed, but not until the Catholic bishops had surrendered their claims on the churches that persisted in maintaining their corporate franchises. In 1863 a special amendment of the act of 1813 was passed for the incorporation of Roman Catholic churches, as had been before done for the Protestant Episcopal and the Dutch Reformed churches, and as the legislature of 1855 was prepared to do, but which the Church authorities then declined to accept.

That amendment gives to the bishop, archbishop and vicar-general of any given diocese, together with the priest of any congregation in the diocese, the power to appoint two laymen of the congregation to be, with the bishop and priest, trustees of the society, and on filing the usual statute certificate in the office of the secretary of State and the county clerk of the county where the church is located, the society is declared incorporated and possessed of all the rights, powers and obligations granted and imposed by the act of 1813. Such lay trustees to be appointed annually.

The trustees fix the salary of the priest, the only change as to the power of the trustees from that given to the trustees of any Protestant church.

* See page 44.

Making the priest a trustee is not a new feature. It exists in the Episcopal and Dutch Reformed churches. The appointment of the lay trustees by the bishop and priest is an exception to the popular rule in other churches. But, practically, inasmuch as the trustees have no powers except those given by statute, a Church corporation, like every other corporation created under our statutes, being civil corporations governed by the ordinary rules of the common law, there is no possibility of the abuses that might arise where the absolute title to the Church property is in the bishop, without any incorporation of the society.

In the one instance the Church property belongs to the congregation, and the trustees are under the control of the legislature and of the equity side of the courts, to whose jurisdiction the act of 1813, of which the act of 1863 is a part, expressly declares all the societies incorporated under it to be subject. In the other, the property is the absolute estate of the bishop, and subject to his control as any other private property. This was the very point made by the Baltimore council in article four, of whose ordinance (see page fourteen of speech) declared, "that all churches and all other ecclesiastical property which have been acquired by donations or the offerings of the faithful for religious or charitable use, belong to the bishop of the diocese," unless granted to some religious order of monks or priests.

It was this article which initiated the policy throughout the country, of compelling all incorporated Roman Catholic churches to surrender their franchises and vest their property titles in the bishop of their diocese.

It was during the resistance by the Church of St. Louis of Buffalo to that policy, that it appealed to the legislature for protection, which appeal was answered by the passage of the Church Property Bill. The issue was a simple one. Should the millions of Roman Catholic Church property be the absolute estate of the bishops, or should it be the property of the congregations, incorporated under the State law and managed by a board of trustees with strictly defined duties and powers, every act of abuse of trust being subject to correction and punishment both by the legislature and the courts?

It is probable that some churches which, previous to 1855, had made over their title to the bishop, may not have regained them. But many of the churches founded since 1863 are incorporated, and the controversy with those who declined to surrender their titles ended when the Church Property Bill became a law. The triumph of the Roman Catholic churches in the State of New York, which resisted the Baltimore ordinance, has been complete so far as their own organizations are concerned, and few churches, in their efforts to conform their polity to the spirit of our institutions, have made so honorable and heroic a record as the St. Louis Church of Buffalo.

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